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The Trade of the Delaware District Before the Revolution

A Dissertation

Presented to the Faculty of Bryn Mawr College in Partial
Fulfilment of the Requirements for the
Degree of
Doctor of Philosophy

By MARY ALICE HANNA

REPRINTED FROM
THE SMITH COLLEGE STUDIES IN HISTORY
1917



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PREFACE

During the past decade there have appeared several books, monographs, and articles which treat colonial history from the imperial and economic points of view.¹ In the light of these studies, there has developed a new conception of the British empire in the seventeenth and eighteenth centuries, in which the colonies have come to be considered primarily as parts of the empire rather than as the beginnings of the United States. The theory of the continuity of colonial policy has been placed beyond dispute. The acts of trade and navigation have been traced to their sources and have been given a new meaning and a new importance. Many of the acts were passed to prevent imperial disintegration and did not at the time impose any hardship upon the colonies, for instance, the wool act of 1699 and the iron act of 1750. Even the measures which seemed to be most prejudicial to colonial interests were often the product of imperial necessity. The molasses act, for example, was intended primarily as a blow at France, and in the controversy over tea the increasing power of the East India Company was a more significant factor than the question of colonial taxation.

An analysis of legislation from the economic and imperial points of view and its effect upon the trade of the empire suggests an interesting field for investigation. Especially is this true of the period immediately preceding the American War of

¹ Beer, G. L., *The origins of the British Colonial System, 1578-1660* (1908).

———, *The Old Colonial System, Part I, Vols. I and II.* 1912.

———, *British Colonial Policy, 1754-1765.* (1907).

Root, W. T., *The Relations of Pennsylvania with the British Government, 1696-1765.* (1912).

Giesecke, A. A., *American Commercial Legislation before 1789.* (1910).

Andrews, C. M., *Colonial Commerce—The American Historical Review*, October, 1914.

Morriss, M. S., *Maryland Trade, 1689-1715.* (1914).

Lord, E. L., *Industrial Experiments in the British Colonies of North America.* (1896).

Independence. At that time England, after a long struggle with France for dominion in America, began to take an inventory of her colonial possessions and to reorganize the empire. The trade and navigation acts, which were originally directed against the Dutch, were revised to meet the needs of the time. In addition, other acts were passed in order to put the empire on a more self-sufficing basis. The effect which this reorganization produced is best seen by investigating the economic conditions and the trade of a part of the empire, and, as the American colonies presented the most formidable objections, a study of their trade ought to indicate to what extent the legislation of the period served its purpose. It is with the hope that some light may be thrown upon a few of the commercial and economic problems of the period that the writer ventures to present the results of her investigation of the British trade legislation from 1763, the close of the Seven Years' War, to 1773, when the controversy between Great Britain and the American colonies lost its economic aspect and became more exclusively political in character.

This study was undertaken at the suggestion of Dr. William Roy Smith, of Bryn Mawr College, and to him the writer is deeply indebted for assistance at every stage of her progress. It is a pleasure to mention others who have made valuable suggestions and criticisms, among whom are Dr. Charles Hull, of Cornell University; Dr. Frances Davenport, of the Department of Historical Research of the Carnegie Institute; Mr. Hubert Hall and Dr. Lilian Knowles, of the London School of Economics; Dr. A. F. Pollard, of University College, London, and especially Mr. George Louis Beer, who permitted the use of some of his extracts from the Colonial Papers. Thanks are due also to the officials of the Public Record Office, of the British Museum, of the House of Lords, of Devonshire House, of the Bodleian Library, of the Library of All Soul's College, Oxford, and of the Historical Society of Pennsylvania, who were unfailing in their courtesy and attention.

Trade of the Delaware District Before the Revolution

CHAPTER I

ECONOMIC CONDITIONS IN THE DELAWARE DISTRICT BEFORE 1763

In treating the problems of the continental colonies it has been the custom, for the most part, to consider them as a whole, or to place special emphasis upon individual colonies. While this method may be used in political, social, or constitutional investigations, it is most inadequate when the subject of trade is under consideration. The thirteen colonies did not constitute an economic unit, and it is frequently difficult to consider any one colony by itself, because the area of trade and the political area did not always coincide. The export and import district of any given port depended largely upon the means of transportation, which, in the eighteenth century, usually meant river transportation. There were only a few roads stretching out from the main centers of population, and these were not capable of being used for heavy traffic. It was observed by an anonymous English writer that "North American productions are weighty and of great bulk, water carriage is extremely necessary to convey them to the seaside for exportation and reconvey to the inland country the manufactures of Great Britain—a convenience without which such settlement can have little or no communication with the mother country, or be of much utility to it."¹ Thus, by using the means of transportation as a basis, the British-American mainland during the eighteenth century can be divided into trading districts. An economic study should concern itself with these districts rather than with individual colonies.

¹ Chatham Papers, Bun. 97, May, 1766.

Friends' Collection of Mss. IV.

Letters written from Philadelphia by Friends traveling in America in 1757 describe the difficulties of travel over the few poor roads.

(1) *Trade Boundaries*

The trade area of Philadelphia, one of the most flourishing ports on the American continent, included part of Pennsylvania, the three lower counties on the Delaware, and a large section of West Jersey. These formed, what, for convenience, might be called the Delaware district. In order to give the exact boundaries of this district it would be necessary to ascertain to what market each farmer sent his produce and where he bought his supplies. The lack of material at present makes this impossible. Approximate boundaries only can be defined. Within the province of Pennsylvania the trade was usually confined to the counties of Philadelphia, Bucks, Berks, and Northampton, and the eastern and northern parts of Chester and Lancaster. This area was continually being extended by the opening of new roads, but serviceable roads were not numerous during the colonial period. For example, the principal roads in 1776 connecting the upper Schuylkill and the Susquehannah were a road from Hughes' Saw-Mill, about thirty miles above Reading, to Fort Augusta, and the road running from Reading to a point just south of Fort Augusta. In the lower Susquehannah valley there were many more. The Paxton road began near the house of John Harris, Paxton Township, Lancaster County, and ran into the Highroad Kennison in Whiteland, Chester County.² The King's Highway and the New Castle and Conestoga Whiskey roads crossed the Nottingham and New Garden road near Elk Creek and reached Philadelphia by way of Kennett Square and Chester. There was also one from Harris Ferry (Harrisburg) to Lancaster and another to Reading.³ By means of these highways,

² Smith, William Roy, Sectionalism in Pennsylvania during the Revolution [in *The Political Science Quarterly*, Vol. XXIV, No. 2; p. 219.] Statutes at Large of Pennsylvania, Vol. VIII, pp. 56-58. Pennsylvania Archives, 1st Series, Vol. IV, pp. 362-363. Colonial Records, Vol. IX, pp. 651, 182-185.

³ Colonial Records, Vol. III, pp. 419-420. Map of Nicholas Scull, (1759), and William Scull, (1770). [Pennsylvania Archives, 3rd Series, App. I-IX.] H. Frank Eshleman's Map of the Earliest Highways leading from the Delaware and Schuylkill Rivers to the Susquehannah River and its Branches.

traders, who had taken agricultural products to Philadelphia, or to Baltimore by boat or raft, could bring back manufactured articles from Philadelphia.

It is very improbable that the product of the land west of the Susquehannah, or within a radius of a few miles east of the lower part of it, ever reached the eastern part of Pennsylvania. It was easier to take the produce of this section, put it on rafts and send it to Baltimore or Annapolis. There were three main reasons why the trade of Pennsylvania west of the district defined in the previous paragraph went to Baltimore. The first was lack of roads. Baltimore had grown up simultaneously with the rapid increase of the Scotch-Irish population in the western part of Pennsylvania. It was a great surprise to the eastern merchants, who were accustomed to an undisputed monopoly of the commerce of Pennsylvania and surrounding colonies, when they first realized that this very lucrative western trade was going to a new port outside the province. All efforts made before the War of Independence to counteract this tendency were unsuccessful.⁴ Merchants felt the loss of business keenly, but it was difficult to persuade the assembly to appropriate the funds for building the necessary roads.⁵ The second reason why the trade went to Maryland may be found in the habits and occupations of the people, which made the Susquehannah the only necessary route. The settlers in that part of the province were agricultural. They produced in the field or the house all the necessities of life. They had little need for the manufactured articles which were imported into the eastern part of the colony. In the third place, political disaffection made them prefer to trade with Maryland. They took great delight in thwarting all the plans of the Quaker assembly to bring the western trade to Philadelphia.

It is more difficult to draw the line in New Jersey beyond which the inhabitants ceased to trade with Philadelphia. There

⁴ Pennsylvania Archives, Vol. IV, p. 362; IX, pp. 65, 657, 666, 703, 731. Lincoln, C. H., *The Revolutionary Movement in Pennsylvania, 1760-1776*. Chap. IV, *passim*.

⁵ *Ibid.*, p. 64.

was no port in that province which had a very extensive trade.⁶ Consequently, New Jersey depended upon the ports of New York and Philadelphia. The trade of East Jersey went to New York, but it was more convenient to send the products of West Jersey to Philadelphia by the Delaware river and its tributaries, or by road.

The assumption that Philadelphia had a trade area which included West Jersey and the lower counties is further upheld by the divisions made for the vice-admiralty courts in America.⁷ The staff of officers stationed in Philadelphia had supervision over the ports of Pennsylvania, the lower counties, and West Jersey. Furthermore, the local commercial legislation proves conclusively that there existed a trade unity among all of the ports on the Delaware.⁸

Philadelphia was the only port within this district whose harbors were of sufficient size to allow ships of more than eighty or ninety tons to enter.⁹ A very good description was given of it in a report resulting from an investigation of the ports, districts and towns of America in 1770. "It has been taken for granted that the limits of this port begin where a line divides Pennsylvania from New Castle County and extends along the river Delaware on the Pennsylvania side as far as the river is navigable above Philadelphia—makes about twenty-five miles below and thirty miles above that city. Within this district are several creeks, but only navigable for small vessels, the principal are Chester, Darby and Sahykill" [Schuylkill?]¹⁰

⁶ Giesecke, *American Commercial Legislation before 1789*, pp. 103-104. New York had objected to Perth Amboy being made an important port. Osgood, H. L., *The American Colonies in the Seventeenth Century*, Vol. II, pp. 187-190. A discussion of Elizabethtown as a probable port may be found here.

⁷ Admiralty Secretary Out Letters, 2:1058. Colonial Office, 391:10. W. T. Root, *The Relations of Pennsylvania with Great Britain*, p. 94.

⁸ *Pennsylvania Statutes at Large*, Vol. II, 105, 384; III, 112, 151, 268, 416. Acts regarding Tonnage Duties and Export and Import duties exempt Delaware and West Jersey. Giesecke, *American Commercial Legislation Before 1789*, p. 86.

⁹ *Pennsylvania Historical Society Memoirs*, Vol. II, p. 216. Penn gave careful instructions concerning the location of the chief port in his commonwealth in view of future trade development.

¹⁰ Additional Manuscripts, 15484, taken from Chalmers' Library. Ports, districts, and towns of America.

The other ports of the district—Lewes, New Castle, Wilmington and Burlington—played little part in any but the coastwise and contraband trade. Lewes extended thirty miles and included many small creeks.¹¹ Although admirably situated to serve as a base of operation for the prevention of illicit trade, it was really used as a convenient place to lie in wait for vessels, in order to smuggle cargoes into Philadelphia by taking them to Reedy Island, or some other place and unloading them. Conditions were much the same in the ports of Burlington, New Castle and Wilmington as at Lewes. There was only one officer at Burlington, and it would have been impossible for him to supervise the numerous creeks and river entries in that vicinity.¹²

It would be difficult to outline the local trade policy of this district with any degree of accuracy. There was such a small part of the trade which was not in some way influenced by the British laws, that the tendencies towards a definite provincial policy can only be estimated roughly. It is fairly clear, however, that free trade had gained as little headway here as in England. When the exemptions made in favour of West Jersey and Delaware are eliminated, and the district is considered as a whole, there is very little which points to a free trade policy in the present use of the word.¹³ Petitions of merchants against taxing trade, discussions in Council, and pamphlets written on the subject, are the only indication of such a tendency.¹⁴

The primary reason for taxing trade was to secure revenue. The annual charge of maintaining and supporting the establishment of the province of Pennsylvania was estimated in 1767 at £13,400.¹⁵ This expense was met by various means. The as-

¹¹ Additional Manuscripts, 15484, taken from Chalmers' Library. Ports, districts, and towns of America.

¹² *Ibid.*

¹³ See Giesecke, American Commercial Legislation before 1789, *passim*. Pennsylvania Statutes, Vol. II, pp. 105; III, 151, 263, 363, 465. Pennsylvania Archives, 4th Series, Vol. II, p. 961.

¹⁴ Colonial Records, Vol. VIII, pp. 30, 31. Pennsylvania Archives, 4th Series, Vol. II, p. 903.

¹⁵ Pennsylvania Archives, 4th Series, Vol. III, p. 341, Papers of John Penn.

sembly annually voted £1,200.¹⁶ Fees such as licenses for public houses, marriages, pedlars and ships, and fines for offences of persons convicted were of uncertain but considerable value.¹⁷ The sale of new lands brought in an increasing sum as the population grew.¹⁸ A small amount was received from quit rents, but they were always in arrears, and so little care was taken in collecting them that not much was realized from this source.¹⁹ In addition to the sum raised by these methods, it was thought necessary to tax exports and imports which were not subject to English trade laws.

The first duties exacted were *ad valorem*.²⁰ This duty was usually 5%. It was soon supplanted by specific duties on certain articles, such as tobacco, sugar, cocoa, molasses, dye woods and tea; other goods, except salt, iron and munitions of war retained the *ad valorem* duty of 5%.

The early tariff legislation levying specific import duties on sugar, spirits, and wine, gave encouragement to direct trade from place of growth, to home shipping and to provincial production of spirits.²¹ These bills, as well as those regarding tonnage during the first three decades, show clearly that the element of protection was very strong.²² In fact the eagerness to protect home shipping and industries was so great that the provincial tariff legislation interfered at times with the British.²³ Further indications of a protective policy may be found in bounties offered for home production of certain products, and in the system of drawbacks on re-exportation.²⁴

¹⁶ Colonial Office, 5:112.

¹⁷ *Ibid.*

¹⁸ Pennsylvania Archives. 4th Series, Vol. III, 341-2.

¹⁹ C. O., 5:1233.

²⁰ Pennsylvania Archives. 2nd Series, Vol. V, 603. Colonial Records, Vol. III, p. 63.

²¹ Pennsylvania Statutes, Vol. II, 105; III, 112, 151, 268, 416. James Madison, Letters and other writings (New York, 1899), Vol. I, 226.

²² Pennsylvania Statutes, Vol. II, 385, 543; III, 166, 238.

²³ Giesecke, p. 30.

²⁴ Pennsylvania Statutes, Vol. III, 115, 154. Votes and Proceedings of the House of Representatives, Vol. III, 6, 7, 128, 129, 314, 324. Pennsylvania Archives, 4th Series, Vol. I, 674, Papers of George Thomas.

In two ways this district was more or less isolated from the mother country. It was principally controlled by the government of Pennsylvania. Since this government was proprietary in form, the deputy governor was appointed by the proprietor and was directly responsible to him. According to a statute of 1696, the appointment had to be approved by the crown and the deputy governor had to take an oath that he would perform his duties in regard to the trade laws. If the laws were not obeyed he was liable to a fine of £1,000, or removal from office.²⁵ Robert Quarry, the first judge of the vice-admiralty in Philadelphia, made complaint against Deputy Governor Markham, who had not been approved, and finally forced William Penn in 1699 to remove him.²⁶ But that was about as far as any supervision of the deputy governors extended. Almost all the other colonial governors were required to send in detailed reports of the state of manufactures and trade in their respective provinces. These were in answer to circular letters sent out by the board of trade. By mistake, one was sent to John Penn when he was deputy governor, and the correspondence which followed between Secretary Shelburne, Thomas Penn and John Penn shows clearly that the Penns considered their province as private property. Thus non-interference had allowed them to develop along independent lines.²⁷

A second cause for isolation may be found in the undesirable economic character of the district considered from the mercantilist point of view. In the eighteenth century the ideal colony was one which produced raw material to be manufactured in the mother country, supplied food-stuffs which were not grown at home, or brought in bullion. In no way was this standard attained in the Delaware district. The products were virtually the same as those of England, so that instead of having an exchangeable commodity for British manufactures, the district was really

²⁵ Root, *The Relations of Pennsylvania with the British Government, 1696-1765*, p. 49.

²⁶ C. O., 5:1288, pp. 98 *et seq.*

²⁷ Penn Letter Book, Vol. IX, pp. 109, 241. Penn Manuscript, Vol. X, p. 192. C. O., 5:112, Letter from John Penn to Thomas Penn.

a competitor of Great Britain. This state of affairs hindered considerably any direct trade, such as existed between England and the southern colonies, or between England and the West Indies.

(2) *Products and Industries*

The Delaware district was primarily agricultural. The chief exports were provisions of various kinds and lumber. Of the provisions, the most important were wheat, flour and bread.²⁸ From the time of the earliest settlements it was realized that wheat could be produced more easily than any other product, and flour milling and bread baking became thriving industries. But the desire to produce something which could be exchanged directly with the mother-country led to experiments with other products, particularly tobacco, which yielded a large revenue to the government, and did not compete with the agricultural industries of England. For these reasons the tobacco colonies held a favoured position in the English colonial system.²⁹ In 1701, William Penn, who was anxious to encourage tobacco and rice as staples and to promote the cod fisheries and fur trade, wrote to the board of trade that, if such industries were not developed, his colonies would not be at all useful to the mother country.³⁰

For a time it seemed that tobacco would become the staple. The quality was very inferior to that produced in Virginia and Maryland, but it sold for a higher price, because there existed before the Act of Union a flourishing illegal trade between traders of this district and merchants in England who smuggled tobacco into Scotland.³¹ "The great price which tobacco yields here," wrote Quarry to the board of trade in 1700, "encourages the country to plant more than ever; it hath been sold here this year

²⁸ C. O., 5:1280, Aug. 10, 1765. Letter from H. S. Conway to Governor Penn, in which he explains the competition between England and the Delaware district.

²⁹ C. O., 5:1289, pp. 2034. Little attention was paid to the fact that a great deal of the tobacco was re-exported to foreign countries, and that upon re-exportation all of the duties were drawn back. The main idea was to get the revenue regardless of subsequent drawbacks.

³⁰ C. O., 5:1288, pp. 227-234. C. O., 5:1289, pp. 17-31.

³¹ Beer, G. L., Mss. notes based on Colonial Papers.

for above thirty shillings per hogshead, which is more than the best Virginia and Maryland hath yielded, though the tobacco of this country is not half so good; the reason is from the advantage of illegal trade here."³²

In the same letter Quarry said that Pennsylvania had determined to plant tobacco in the three upper as well as in the three lower counties.³³ Before 1700, the amount produced was never more than 300 or 400 hogsheads, but in 1700 and 1701, it had increased to 3000 or 4000 hogsheads³⁴ and the production probably reached its height in 1705-1706, when John Evans, the deputy-governor, wrote that tobacco was of great importance to the people in general but especially to those of the lower counties. From this time there was a decrease in the production as is indicated by the custom house papers of Philadelphia, 1704-1713, which registered the amount of the penny a pound duty on exportation of tobacco from one colony to another.³⁵ The trade in tobacco was gradually superseded by trade in wheat, which was the more natural product of the province. Sir William Keith wrote, in 1722, that it was more profitable to grow wheat than tobacco, owing to the trade which had grown up with the other ports on the American continent, the West Indies and the southern ports of Europe.³⁶

As early as 1700, Robert Quarry said that the people by their

³² C. O., 5:1288, pp. 18-19.

³³ C. O., 5:1288, pp. 227-234.

³⁴ C. O., 5:1288, pp. 26, 471.

³⁵ C. O., 5:1265, p. 114.

C. O., 5:390, June 1, 1724, Custom House, London. In 1722, there were 137,721 pounds of tobacco exported from Pennsylvania to England. The amount was small compared with that sent from Virginia—28,313,336 pounds—and compared with the other exports from Pennsylvania.

The Custom House Papers of Philadelphia 1704-1713. Duty of penny a pound on exportation of tobacco from Philadelphia. [This duty was

1704-5	£825	18s.	1d.	levied on tobacco exported from colony to
1705-6	973	13	10	colony by parliament in the act 25 Chas.
1706-7	398	11	6	II C 7 to "prevent exportation of goods
1707-8	615	0	0	from colony to colony and so to foreign
1708-9	118	14	4	countries in Europe evading the English
1709-10	214	6	2	Customs." See Morris—Colonial Trade
1710-11	95	11	4	of Maryland 1689-1715, p. 50 Col. S. P. A.
1711-12	209	4	4	W. I. 2306.]

³⁶ C. O., 5:1273, R 42. C. O., 5:1277, pp. 227-234.

industry had greatly improved agriculture and had made bread and flour a drug on the market in the West Indies.³⁷ Colonel Thomas, in 1740, pointed out that the production of wheat was of great importance in that the proceeds of the large quantities which were exported from Philadelphia centered in Great Britain.³⁸ It was in time discovered, however, that the exportation of flour and bread was more profitable than that of wheat. In the latter part of the colonial period the trade statistics show that considerable quantities of wheat were imported into Philadelphia from the other colonies, although very little was exported. At the same time there was a large exportation of bread and flour.³⁹

Grist mills had existed in the district even before William Penn came to America. According to Bishop the first one was built on the Darby road, in 1643, by Colonel John Printz, the governor of New Sweden; one was built in New Castle in 1658, and another at Trenton in 1680. Germantown possessed the first mill in Philadelphia County, but soon after the founding of Pennsylvania many mills were in operation throughout the district. The places where they were situated became markets for the grain of the surrounding country, and after the local demand was supplied the surplus was sent to Philadelphia for exportation. The flour and bread industry gradually developed until in time it exceeded all others. The following table will give some idea of its increasing importance:⁴⁰

Year	Wheat (Bu.)	Flour (Bbls.)	Bread (Casks)
1729	74,809	35,438	9,730
1730	38,643	38,570	9,622
1731	53,320	56,639	12,436
1752		125,960	
1765	365,522	148,887	34,736
1772	51,699	252,744	38,320
1773	92,012	284,872	50,504
1774	182,391	265,967	48,183

The years 1731-1738 mark the period when the trade in flour

³⁷ C. O., 5:1233.

³⁸ *Ibid.*

³⁹ Colonial Customs (Record Office) 16:1.

⁴⁰ Bishop, J. L., *American Manufactures*, 139-144.

and bread became noticeably more important. They were years of unusual harvests both in Europe and America. This worked a great hardship upon the wheat exporting provinces. It brought about a stagnation of currency in Pennsylvania, and threatened her prosperity. Governor Gordon, in his address to the assembly in 1731, pointed out that "all possible measures should be taken to recommend them to a greater degree abroad that they may find a readier sale."⁴¹ He remarked further, "I have understood that, when this colony was young and had but little experience, it exceeded all its neighbors in the fineness of its flour and bread and goodness of its beer, which are the only produce of our grain; the first two have greatly contributed to their improvement as well as the reputation of the province. And it will still become the legislature to continue their care and concern in a point of such consequence to the whole."⁴²

As the above indicates care was taken that the flour and bread which was exported should attain a high standard. It was enacted in 1700, "that all biscuits and flour made for transportation shall be well made and honestly and truly packed for the encouragement of our trade and credit: that those who purchase the same may not be cheated or defrauded. And all such persons that make flour or biscuits for transportation shall set their several brand marks on each cask before shipped, on the penalty of five shillings for every cask by them sold and unmarked as aforesaid. And if any bread or flour shall pass out of this province or territories falsely packed and the same happen to be returned, in all such cases the persons offending shall pay to the party wronged double damages for the same."⁴³

From time to time this act was renewed and additions were made to it. Each addition was more stringent, and was usually passed on the advice of the governor when he noticed a tendency

⁴¹ Pennsylvania Archives, 4th Series, Vol. I, 474.

⁴² *Ibid.*

⁴³ Pennsylvania Statutes at Large, Vol. II, 96.

for the quality to deteriorate.⁴⁴ For example, Governor Gordon in addressing the assembly, on November 2, 1738, said: "The better your commodities exported from hence are, the better price they will fetch at markets abroad. Care too ought to be taken that the exporter is not deceived. . . . This consideration applied to your flour trade will induce you to take some further care of it; for though the laws you already have will be of great service if well executed, some further regulations seem necessary, particularly to prevent the mixture of different sorts of grain, which every man sees are now reaped in every field."⁴⁵

Similar care was taken in the preparation of other provisions which were exported from Philadelphia.⁴⁶ There was a flourishing export trade in cattle, and the packing of beef and pork to be used in the West Indies was very important. Hence we find numerous laws passed, demanding that these provisions be made merchantable and inflicting severe penalties on those who evaded them. Laws of this nature were very easily evaded, and were probably less effective than the force of competition.

Not a little profit was realized in the fur trade. The beaver trade was important in the Schuylkill valley before William Penn came, and skins of all kinds in fairly large quantities were exported from Philadelphia during the entire colonial period. In the opening years of the eighteenth century they formed with tobacco the chief articles of export. From Christmas, 1699, to Christmas 1700 the following were sent: 516 pounds of buck in hair, 326 pounds of cat, 1222 pounds of fox, 121 beaver skins, 4921 pounds of raccoon, together with some elk, bear and mink.⁴⁷ The table of exports from Philadelphia show that there were:

⁴⁴ These renewals and additions were made on: May 22, 1722, *Pennsylvania Statutes at Large*, Vol. III, 321; August 18, 1727, *Ibid.*, Vol. IV, 73; January 19, 1733, *Ibid.*, Vol. IV, 248; March 9, 1745, *Ibid.*, Vol. V, 38; April 21, 1759, *Ibid.*, Vol. V, 400; April 22, 1761, *Ibid.*, Vol. VI, 112; February 21, 1767, *Ibid.*, Vol. VII, 57.

⁴⁵ *Votes and Proceedings of the House of Representatives of Pennsylvania*, Vol. III, 324.

⁴⁶ *Pennsylvania Statutes at Large*, Vol. II, 96; III, 22, 275; IV, 75; V, 97, 400.

⁴⁷ Bean, T. W., *History of Montgomery County*, p. 120. C. O., 5:1291, pp. 226-227.

49	chests of skins in 1759
140	chests of skins in 1760
256	chests of skins in 1761
228½	chests of skins in 1762
132	chests of skins in 1763 ⁴⁸

Before 1759, the Indian trade in Pennsylvania, where the traders were very numerous and enterprising,⁴⁹ was practically unrestricted. Any one could engage in it upon obtaining a license from the governor.⁵⁰ After that time regulations were made because of the increasing difficulties with the Indians. This trade was considered of such importance that in 1766 the establishment of a colony in the Illinois country was strongly urged.⁵¹ Philadelphia was to be one of the chief places for importing British manufactures for the numerous Indian tribes which lived near the lakes and the different branches of the Mississippi.

Timber as a product for exportation, was almost as important as grain and meat. There was an abundance in Pennsylvania, the lower counties, and West Jersey. The existence of several saw mills in the seventeenth century shows that the industry had developed from the first.⁵² They became numerous along the many rivers and creeks, which were a great advantage, in that they furnished water power to run the mills, as well as the means of transporting logs to the mills and lumber to Philadelphia.

Hickory and oak were made into barrels, hogsheads, and staves; and walnut was considered valuable material for furni-

⁴⁸ Custom House Papers in the Library of the Historical Society of Pennsylvania.

⁴⁹ Hanna, C. A., *The Trail in the Wilderness*, Vol. I, p. 6, taken from the writings of George Croghan.

⁵⁰ *Ibid.*, Vol. II, p. 325. A full discussion of the fur trade may be found in this book, in which are reprinted extracts from the Journals of George Croghan who was called "The king of the traders."

Giesecke, p. 53. Skins and furs were the only commodities upon which export duties were imposed in Pennsylvania.

Laws of Pennsylvania, 1682-1700, p. 138.

Pennsylvania Archives, 2nd Series, Vol. II, pp. 619-627, for names of Indian Traders in Pennsylvania, 1743-1776.

⁵¹ C. O., 5:67, Reasons for Establishing a British Colony at the Illinois with some proposals thereon.

⁵² Bishop, *American Manufactures*, Vol. I, pp. 109-112.

ture.⁵³ Unfortunately this lumber, with the exception of that grown in West Jersey, could not be used as a naval store for Great Britain. The surveyor-general in his report on naval supplies ignored this district because the quality of its timber was so very inferior to that grown in the southern provinces and New England.⁵⁴ Consequently, little benefit was received from the bounty which Great Britain offered on masts imported from the colonies.

There seems to be no reason why hemp, which was another valuable naval store, should not have been grown in abundance. In Great Britain, where there was a great demand for it, it could be produced only at a high cost. Joshua Gee wrote to the board of trade, in 1717, that the bounty on hemp should be continued for twenty years.⁵⁵ His advice was taken, but the increase in the crop in no way justified its continuation.⁵⁶ Again, in 1731, Governor Gordon recommended the raising of hemp, because of the lack of products suitable for exportation to Great Britain.⁵⁷ Besides the encouragement of the mother country in the way of bounties, the provincial government of Pennsylvania offered premiums on good and merchantable hemp. An act was passed in 1722, which offered a bounty of one penny per pound on hemp fit for exportation.⁵⁸ This act was continued from time to time until 1731, when it was repealed.⁵⁹ The law was much abused, since it was very difficult to detect and punish those who brought in bad hemp for exportation. Furthermore, it was not considered worth while to continue such encouragement when so little was produced. The high price of labor was probably responsible for the failure of this project.⁶⁰

One of the most important industries was that of ship build-

⁵³ Colonial Office, 5:1233.

⁵⁴ Admiralty Secretary, I, 4127.

⁵⁵ C. O., 5:1265, p. 114.

⁵⁶ C. O., 5:1266, p. 42.

⁵⁷ *Ibid.*

⁵⁸ Pennsylvania Statutes at Large, Vol. III, p. 314.

⁵⁹ *Ibid.*, IV, pp. 231-2.

⁶⁰ C. O., 5:1268, S. 44.

ing.⁶¹ Salem and Burlington were the first to build vessels, but they were soon surpassed by Philadelphia which was a recognized center of this industry in 1700. Many vessels built in Salem, Burlington, Newcastle and Wilmington were brought to Philadelphia for registration. The coastwise and West Indian trade offered great encouragement to ship building. Almost all of this trade employed home shipping. Provincial ships were also used in the wine trade. Out of six vessels importing Madeira wine, in 1719-20, two were built and registered in Philadelphia.⁶² It was considered very important to use vessels built in the district, because they were exempt from the tonnage duties which were imposed on other colonial ships.⁶³

Various forces were at work which retarded the development of this industry in all of the continental colonies. British merchants and traders, who were interested in ship building at home, looked with increasing alarm upon the development of it in the colonies. As long as the colonists supplied themselves only with coasting vessels, those used in the fisheries, or larger ones which were made to convey timber, they were not considered as dangerous competitors. But when they began to build ships which rivaled those made in Great Britain, the merchants complained and urged Parliament through petitions to discourage colonial ship-building.⁶⁴ Although there was no direct legislation on this subject it is quite evident that the industry did not fulfill its early promise. While Richard Penn said in 1774 that ships of three hundred or four hundred tons were built very expeditiously in Pennsylvania,⁶⁵ the development of ship building had not kept

⁶¹ *Ibid.*, C. O., 5:1266, R. 7.

⁶² C. O., 5:1266, R. 18.

⁶³ Pennsylvania Statutes at Large, Vol. II, p. 384; III, 165; V. 353; VIII, 42.

⁶⁴ Chalmers, *Revolt of the Colonies*, Vol. I, pp. 387, 388.

⁶⁵ House of Lords Manuscript. Examination of Richard Penn before the House of Lords.

pace with the advancement of trade and the increase of population.⁶⁶

In New England, ship building was closely connected with the fishing industry. This was partially responsible for her superiority in the former. In the Delaware district, fisheries never became important. It is true that the first boats and vessels built on the Delaware were used in the fishing trade;⁶⁷ and William Penn expressed a hope, in 1701, that the whale fisheries would be developed, so that returns could be made to England in whale oil and whale bone.⁶⁸ Furthermore, Cape May and Burlington counties were supposed to have a flourishing fishing trade. Governor Cox mentions the products of the former county as consisting of whale bone and whale oil. Nevertheless, compared with other districts, the importance of fisheries was negligible. It was said that Pennsylvania was allowed to import salt free of duty from southern Europe for a fishery that never existed.⁶⁹ This was scarcely true because there were many acts passed by the provincial assembly of Pennsylvania for the development of fisheries in the Delaware, Susquehannah, and Lehigh

⁶⁶ The following table indicates the relative increase of population, shipbuilding and trade with England.

Approximate Population		Years	No. Ships Built in Pa.	Ton'ge	Exports to England			Exports from England		
40,000 ¹	....	1722	10	458	£4,499	0s.	0d. ⁸	£22,505	0s.	0d. ⁵
		1723	13	507	8,332	0	0	15,993	19	47
		1724	19	959 ³	4,057	0	0 ⁸	30,324	0	0
250,000 ²	....	1769	22	1,469	26,111	3	7	199,909	17	11
		1770	16	2,354	28,104	5	11	134,881	0	0
		1771	21	1,307 ⁴	31,615	19	9 ⁶	728,744	0	0 ⁶

¹ C. O., 5:1266, R. 7.

² Rossiter, W., *A Century of Population*, p. 6.

³ Votes and Proceedings of the House of Representatives of Pennsylvania, Vol. III, p. 9.

⁴ Macpherson, D., *Annals of Commerce*, Vol. III, p. 570.

⁵ B. T. Commercial Series, Vol. 414.

⁶ H. of L. Mss., Table of Exports and Imports to England from North American Colonies.

⁷ Pitkins, T., *Commerce*, p. 15.

⁸ De Bow, J. D. B., *The Industrial Review*, Vol. I, p. 313.

⁶⁷ Bishop, *American Manufacturers*, Vol. I, p. 69.

⁶⁸ C. O., 5:1289, pp. 203-4.

⁶⁹ Chalmers' *Revolt of the Colonies*, Vol. I, p. 452.

rivers.⁷⁰ The river fisheries no doubt contributed to the export trade of Philadelphia, but the amount was probably much less than that imported from New England and Nova Scotia for re-exportation.

It was recognized in the beginning of the century that iron ore existed in great abundance in Pennsylvania. Joshua Gee wrote to the board of trade, in 1717, that it would be wise to offer a bounty of £3 on bar iron and £1 10s. on cast iron.⁷¹ He made a further suggestion that "it will be necessary to lay a duty on iron and hemp consumed in that country, that England may not be deprived of the trade they derive from those commodities manufactured and sent to the plantations."⁷² In the same year Sir William Keith wrote to the board of trade that he had found in Pennsylvania a great deal of iron ore, which was worked up to such an extent that the importation of iron from Great Britain was discouraged. He sent several samples of this ore to the merchants in London with a description of the places where it was found.⁷³ Keith no doubt overestimated the possibilities of manufacturing iron in the province. Several years later Gordon wrote to the board of trade that iron furnaces had been set up, but that they had been used only two years.⁷⁴ The high price of labor made it impossible for them to compete successfully with the Swedish trade in manufactured iron.⁷⁵

The board of trade had been persuaded at an early date that a bounty on iron would be beneficial. The difficulty lay in obtaining the necessary parliamentary legislation. Finally an act was passed, in 1750, repealing the duties on iron bars, which were imported into London, and on pig iron, which was imported into the out-ports.⁷⁶ At the same time, it was forbidden to erect mills

⁷⁰ Pennsylvania Statutes at Large, Vol. VIII, p. 467.

⁷¹ C. O., 5:1265, S. 114.

⁷² C. O., 5:1266, S. 114, 140.

⁷³ C. O., 5:1268, S. 34.

⁷⁴ *Ibid.*, S. 44.

⁷⁵ Chatham Papers, Bun. 97. Reasons for Allowing the Importation of Bar Iron from America.

⁷⁶ 23 Geo. II, c. 29.

in the colonies for the making of steel. There were in Pennsylvania and Delaware the following plants:

1. A mill or engine for slitting and rolling iron in Thornbury township, Chester County.

2. A pleating forge to work with a tilt-hammer in Byberry township, Philadelphia County. This had not been used for nine months.

3. Two furnaces for making steel in Pennsylvania, both of which were in Philadelphia.⁷⁷

From this it would seem that the manufacturing of iron and steel was not done on a large scale. It has been suggested that it was "merely an accessory to the ship building industry, which demanded that certain parts should be made of iron and fitted into the ship. On account of this, these parts could not be imported from Europe because an exact fit was required."⁷⁸

The act of 1750 does not seem to have given the desired stimulus. Of the ten forges existing in 1756 all but two or three had been erected before the act was passed.⁷⁹ The output of these did not show the increase that might have been expected from such a measure. From the account of William Denny, the deputy governor, in 1756, it can be seen that the output of eight forges was as follows during the years 1749-1756:⁸⁰

	Total Tons	1st Year Tons	Average Tons
1. Pine Forge	747	103	124
2. Poot Forge .....1749-1754	313	73	78
3. Glasgow .....1750-1756	595	108	119
4. Pottsgrove .....1755-1756	64		
5. Coventry .....1749-1756	339	45	48
6. Windsor .....1749-1756	495	90	82½
7. Helenshed .....1749-1756	480	59	69
8. Minor Forge .....1751-1756	342	45	57

The wool act⁸¹ of 1699 brought as little hardship upon the

⁷⁷ C. O., 5:1273.

⁷⁸ Beer, G. L., Mss. notes based on Colonial Office Papers.

⁷⁹ Swank, T. W., *Iron in All Ages*, p. 113. Mantauney Creek Furnace was erected in 1716; Coventry in 1720; and Cornwall and Warwick in 1740. It is also stated that in 1740 many furnaces and other iron works existed in New Jersey.

⁸⁰ C. O., 5:1275, W. 25.

⁸¹ Statutes of the Realm, 1699. 10-11 William III, c. 10.

colonies as the iron act. It was primarily intended to affect Ireland, but the colonies were included, through the fear that in the future the colonists might take to manufacturing their own wool. Conditions at that time did not favour the production of wool and there was no intercolonial trade in this commodity. Moreover, the wording of the statute gives no indication that it was desired to discourage the production of wool or the spinning or weaving of it in the various households. It merely prohibited the exportation of the raw or manufactured material from one colony to another. William Penn criticised the act on the grounds that it was geographically impossible for it to be executed.⁸² It often happened that a man living near the boundary of one colony, let us say Pennsylvania, found it to his advantage to sell the wool or yarn produced on his farm to his neighbors in Maryland in exchange for tobacco and rice. As this possibility must have occurred to those who framed the act, it is hardly possible that they considered such instances of any importance.

There was little danger of this act being disobeyed in Pennsylvania, the lower counties and West Jersey. Sheep were raised and domestic manufacturing was carried on, but there were no serious attempts to establish the business on a commercial basis. This was due partly to the high cost of labor and partly to the fact that it was fashionable to wear English clothing.

The distillation of sugar and grain was a very profitable industry. In exchange for the lumber and provisions sent to the West Indies, large quantities of sugar, molasses and rum were brought back to Philadelphia. Although the rum that was made in the West Indies, particularly in Jamaica, was superior to all, there was considerable competition in its production in the continental colonies. Distilleries were multiplied as fast as saw mills and grist mills, and formed with them the basis of the export trade of Philadelphia.

There were two classes of manufactories within this district before 1765. Grist mills, saw mills, distilleries, shipbuilding and iron works belonged to the first. The British government never in-

⁸² C. O., 5:1289, p. 25.

terfered with the first three of these, and its influence upon the others is doubtful. For the most part they were left free to develop as much as the demand for their products allowed. The second class included all household manufactures. They were numerous and developed quite naturally in connection with farm life. There are conflicting statements concerning the extent to which this system prevailed. Colonel William Hart said that the inhabitants wore the same clothing and had the same utensils as were used in Great Britain.⁸³ Sir William Keith claimed that the necessary clothing came from Great Britain and was paid for by means of the export trade in wheat to the West Indies.⁸⁴ These reports were probably the result of observations made in Philadelphia or other towns where British goods were in great demand. Governor Gordon states clearly that the farmers made clothing of the coarser sort for themselves and that the Irish and German settlers sold linen of their own making to their neighbors.⁸⁵ It is quite evident, however, that the only reason why manufactures of the second class existed may be found in the colonists' inability to pay for British goods.

(3) *Trade Routes*

As the people of the Delaware district became more prosperous their demand for European goods steadily increased, but as their own products were unsuitable for direct exchange with Great Britain, they were compelled to develop circuitous routes of trade. By this means the desired manufactures were purchased and large profits were realized on a carrying trade, which made Philadelphia of considerable importance as an entrepôt on the American continent. The great mass of colonial regulations made Philadelphia of considerable importance as an entrepôt on trading with certain parts of the world. In spite of these restrictions, however, many profitable channels of trade were discovered. In order to understand fully the vast net work of the commerce of

⁸³ C. O., 5:1266, R. 7.

⁸⁴ *Ibid.*, R. 42.

⁸⁵ *Ibid.*, S. 15.

this district in the middle of the eighteenth century every route should be traced, and if possible vessels taking very circuitous routes should be followed closely. Space will not permit such a detailed account, but an examination of the tables of exports and imports will indicate partially the extent of the Delaware commerce, and its dependence upon non-British trade for its economic justification as a unit of the empire.⁸⁶

The chief routes from Philadelphia were those going to the other colonial ports, the West Indies, the Wine Islands, Southern Europe and the British Isles. There was scarcely a port in the continental colonies, with which this district did not have commercial relations. The numerous harbors, rivers, creeks and bays along the coast offered many opportunities for trade. In the amount of tonnage employed and as a means for gaining remittances to Great Britain these routes were very significant. From the southern ports various commodities were imported, both for home consumption and for re-exportation, such as rice, tobacco, tar, pitch, turpentine, Indian corn, wheat, rye and deer skins. For these the following were sent in exchange: bread and flour made within the district; sugar imported from the West Indies; rum and molasses of West Indian, New England, or home production; and goods of various sorts imported from the continent of Europe. Although the southern ports enjoyed a profitable direct trade with Great Britain by which they were able to import European manufactures, nevertheless they imported a considerable amount of European goods through Philadelphia.⁸⁷

The trade with Maryland and New York was not at all large. Maryland imported agricultural products from Western Pennsylvania by way of the Susquehannah. Her exports were very sim-

⁸⁶ See Appendix II.

⁸⁷ C. O., 5:1499, Shipping Returns of Virginia.
Treasury Board Papers, 461, Shipping Returns of Virginia.
C. O., 5:511, Shipping Returns of North Carolina.
C. O., 5:1228, Shipping Returns of South Carolina.
C. O., 5:710, Shipping Returns of Georgia.
C. O., 5:573, Shipping Returns of Florida.

ilar to those of the colonies south of her, which, as we have seen, sent their produce to Philadelphia. The intense jealousy existing between Pennsylvania and Maryland caused their relations to be almost negligible. With New York there was a close competition in the exportation of agricultural products and lumber.⁸⁸ A few exchanges were made in bread, flour and European goods, but the shipping returns show that very few vessels were cleared annually from Philadelphia to New York.

The fisheries and peltries were the main features of the import trade from New England⁸⁹ and Nova Scotia.⁹⁰ The preparation of fish for exportation was a thriving industry in both places, and consequently salt was in great demand. Since salt could be imported into Philadelphia free of duty, it was profitable to exchange salt for prepared fish.⁹¹ Some flour, bread and locally manufactured articles, such as rum, cabinet ware and soap, were also sent to New England and Nova Scotia.

The West Indian trade was the most important of all, being in fact the basis of the commercial life of this district.⁹² The inhabitants of these islands were almost exclusively engaged in producing sugar, rum, and molasses, together with a little coffee, cocoa and cotton.⁹³ They demanded, in return for these products, provisions of all kinds and lumber in large quantities to be used in making barrels, hogsheads, and casks. Naturally England wished to supply the need, since she had provisions for exportation and desired above all to import raw materials; but the continental colonies were geographically in a better position to meet the demand. Hence, in spite of the close competition with the

⁸⁸ C. O., 5:1228, Shipping Returns of New York.

⁸⁹ C. O., 5:851, Shipping Returns of New England.

⁹⁰ C. O., 5:221, Shipping Returns of Nova Scotia.

⁹¹ C. O., 5:851, Shipping Returns of New England.

100,000 hhds. of salt were sent to Boston from Philadelphia in one quarter.

⁹² Admiralty, 592.

C. O., 142:19, Shipping Returns of the West Indies.

C. O., 76:4, Shipping Returns of the West Indies.

C. O., 33:17, Shipping Returns of the West Indies.

Pipe Office, Declared Accounts—Customs, Roll 1265.

⁹³ Customs, 16:1.

mother-country, the Delaware district, whose lumber was particularly adapted to West Indian uses, controlled a great part of the trade.

Of the British West Indies, Jamaica furnished the best market for bread, flour, meat, fish, timber and soap.⁹⁴ Joshua Gee, in discussing the importance of Jamaica to the Pennsylvania trade, said, "The Spanish West Indies are reached by way of this island where corn and provisions are sent. . . . If this trade be properly nursed up, it may draw the Spanish coast very much to depend on us for a supply of flower, biskets, etc." The imports from Jamaica were not heavy. Many vessels were sent back to Philadelphia in ballast, while some went in ballast to other islands, chiefly for sugar, rum and molasses.

The Leeward Islands supplemented the trade with Jamaica.⁹⁵ These islands, especially Dominica, were rich in cocoa and coffee, besides producing sugar and some cotton. Great Britain in her direct trade with them could supply the necessary amount of food-stuffs, and, consequently, it was difficult for the Delaware traders to make a favorable exchange of products. A demand for lumber, however, gave them a foothold and, in time, they began to compete with the mother-country in supplying food stuffs, but, even when the trade was unfavorable, products of these islands were considered of such importance that it was worth while for the traders to sell their goods in Jamaica and then to sail in ballast to the Leeward Islands for a return cargo. Attempts to trade with Barbadoes, Granada, the Grenadines and Tobago met with greater competition.⁹⁶ These had always been Great Britain's prize sugar colonies, with whom she carried on a flourishing trade. The shipping returns indicate that few products were imported directly from the American mainland, although many undoubtedly came through the neighboring islands.

Extensive and profitable as the West Indian trade was, it was not sufficient to dispose of all of the surplus agricultural products

⁹⁴ C. O., 142:19, Shipping Returns of Jamaica.

⁹⁵ C. O., 76:4, Shipping Returns of the Leeward Islands.

⁹⁶ C. O., 33:17, Shipping Returns of the Windward Islands.

and lumber. A demand for American grain, during the years of scarcity in Europe had opened a trade with the southern ports of that continent. The wine trade with Madeira and the Azores had been carried on from an early date, and since these islands were *en route* to southern Europe this channel became very important. Grain was the basis of the trade, but there was also a market for other products. It was reported, in 1720, that Pennsylvania traded with Lisbon, Cadiz and Alicante, sending pipe staves, planks, timber and also fish which had been purchased from New England.⁹⁷ Some vessels returned to the Isle of May and loaded salt, others went to the Madeiras for wine, which they sold in the West Indies. The usual course was to take goods which could be sold in Great Britain, or cash for products, and return by way of England to purchase manufactures. In the early part of the eighteenth century this trade was only casual, since it depended upon the scarcity of grain in Europe. Deputy Governor Gordon said, in 1731, that, in consequence of the recent poor harvests in Europe, Pennsylvania had shipped 40,000 bushels of grain to Europe—Ireland, Lisbon and the Straits—, “but when there are plentiful crops we ship little or none.”⁹⁸ In another connection he said that the demand for flour and bread was uncertain, as it depended on the crops in other countries. Later the demand became more regular. The deficit created by the long wars in Europe, which America was called upon to meet, and the years of poor harvests after 1757 put the trade on a firmer foundation.⁹⁹

The wine trade was significant in itself, apart from its connection with the trade to southern Europe. Provisions and lumber were sent to the Wine Islands and exchanged for wines, and bills of remittances. It was estimated, in 1731, that from 15,000

⁹⁷ C. O., 5:1266, R. 7.

⁹⁸ C. O., 5:1268, S. 34.

⁹⁹ Adm. Papers, II, 3837.

A letter from the British Consul, April 10, 1767, in which it is stated that a vessel from Philadelphia was at Leghorn. This is one of many indications that the traders of the Delaware district traded with southern Europe.

to 20,000 bushels of wheat, some Indian corn, and some bread were annually exported to the Madeiras.¹⁰⁰ Wine from these islands had been for a long time a favorite drink in England, and, as its importation into the colonies grew, it enjoyed the same reputation there. Furthermore, since Madeira wine was allowed to be imported directly from the place of growth, there were heavy imports, much of which was re-exported. In some instances, the traders took the wine directly to the West Indies, where it found a ready market.¹⁰¹

Thus, by means of the trade with other American ports, the British and foreign West Indies, the southern European countries and the wine islands, the traders of the Delaware district managed to dispose of the surplus agricultural products and to supply themselves with articles which could be sold in Great Britain, or with cash to pay for European manufactures. In the early days of the eighteenth century, when tobacco was grown in the district, there had been a profitable direct trade with Great Britain, but even at that time part of the cargoes sent from Philadelphia consisted of goods which had been imported previously from other places. A report of the inspector-general, Charles Davenant, dated March 21, 1707, illustrates this point. It gives an account of goods imported into England from Pennsylvania, and the duties thereon, from Christmas, 1698, to Christmas, 1705.¹⁰² The total amount of duties paid was £36,598, or an average of £5,227 annually. Of this sum tobacco contributed about 90%, or £32,419. In addition to the tobacco, 226 tons of logwood were imported, paying £1,074 duty. The other articles imported were

¹⁰⁰ C. O., 5:1266, S. 34.

¹⁰¹ C. O., 5:1265, S. 176. Imports into Pennsylvania of Madeira and western island wine from Christmas, 1715 to Christmas, 1718:

	Pipes	Hhds.	Casks
Madeira wine	655	9	18
Fayel wine	83		2
Passado wine	3		
Vinegar	3		

C. O., 5:1266, R. 18. During the year from Christmas, 1719, to Christmas, 1720, there were imported in six vessels, 270 pipes, 7 hhds, and 7 quarter casks.

¹⁰² C. O., 5:1263, Q. 99.

drugs, ginger, rice, sugar, indigo and molasses in small quantities, and a great number of skins of all kinds. Of these commodities only tobacco and skins were native products, the others being the result of trade with other ports, especially those of the West Indies. As tobacco ceased to be cultivated and bread and flour became the staple products, the exports to Great Britain consisted more and more of commodities which had been previously imported.¹⁰³ A comparison of a list of goods exported to London in 1765 with an account of goods and merchandise imported into England from Pennsylvania, Christmas, 1699, to Christmas, 1700, shows to what extent re-exportation had increased.¹⁰⁴

Even with the great increase of re-exported goods to Great Britain before 1763, the excess of imports over exports became greater each year. In 1700, the exports almost equaled the imports, but, in 1763, they were only 13% of the imports.¹⁰⁵ This indicates that the amount of remittances paid down was very large or that the Delaware merchants were continually the debtors of the British. The latter supposition is substantiated by a report which was made in 1791, giving an account of the debts, together with the interest thereon, due to the British merchants before 1776. According to this statement Pennsylvania owed £229,-452 4s. 4d.¹⁰⁶

It is impossible to estimate with any degree of accuracy the value of the legal trade of this district in all of its channels. The early accounts are all more or less vague. Colonel William Hart in 1720 said that the annual produce of Pennsylvania, including the home trade, was £100,000, and that the annual consumption of British manufactures was valued between £50,000 and £60,000. More accurate estimates can be made for the later years because greater demands were made upon the customs officers to send in carefully prepared shipping returns. The exports to England

¹⁰³ C. O., 5:1268, S. 44.

¹⁰⁴ Appendices I, II.

¹⁰⁵ Appendix IV.

¹⁰⁶ Chatham Papers, Bundle 343, The sum Total of the Debts due by the respective American States to the Merchants and Traders of Great Britain previous to the year 1776 with interest on the same.

alone in 1763 amounted to £38,228 10s. 2d. and the imports from England to £284,152 16s. 1d.¹⁰⁷

(4) *Illicit Trade Before 1763*

On account of the enormous amount of smuggling during the eighteenth century, it would be incorrect to rely upon the shipping returns of the customs for an accurate account of trade. This practice existed throughout the empire, but there was no place where it prevailed with more impunity than at times in the Delaware district. The physical features of the river and bay gave many opportunities for evading the navigation laws.¹⁰⁸ In the investigation over the boundary line between Pennsylvania and Maryland this fact was pointed out. A pilot who had served for thirty years said that there were on the east side of the bay "harbours fit for trade and shipping, viz., Morris's River and Cohansic Creek. And on the east side of Delaware River, Salem Creek, Timber Creek and Ankokus Creek—and that there is on the west side of the said bay Prince Book Bay and on the west side of the said river St. George's Creek, Christian Creek, Derby Creek, and Schuylkill River."¹⁰⁹

Besides the difficulties attending the long coast line made by numerous rivers and creeks, there were a few islands, between the provinces of Pennsylvania and New Jersey, which were not included in the bounds of the grants of either province. Petitions to the governors of these provinces indicate that they often served as places of refuge for unprincipled men, committing offences in the neighbouring provinces, as well as suitable places for contraband goods.¹¹⁰

From the beginning of the history of the colony traders evaded the navigation laws. In 1699 the board of trade, acting on the advice of Robert Quarry, brought serious charges of smuggling

¹⁰⁷ See Appendix, IV.

¹⁰⁸ Addit. Mss. 15484, Ports, Districts and Towns of America, 1770. In the discussion of the trade boundaries the lack of supervision was noted.

¹⁰⁹ Pennsylvania Archives, 2nd Series, Vol. XVI, p. 747.

¹¹⁰ Domestic Entry Book, 140.

Col. S. P. Domestic Home Office Papers.

against Penn's colony.¹¹¹ They demanded the repeal of the law passed in 1699 which made all breaches of trade laws cognizable in their common law courts of record, that Colonel William Markham be removed from the office of lieutenant governor, that closer obedience be given to the admiralty courts and greater encouragement offered to the officer of the customs, and that piracy be suppressed.¹¹² Penn decided to go out to the colony and to take charge of the government himself. His presence at first gave great satisfaction. He procured the enactment of a law forbidding trade to Madagascar or Natal, the chief centers of piratical trade,¹¹³ and another law, obliging the king's officers to weigh all tobacco casks before shipment, in order to do away with frauds in the penny a pound duty.¹¹⁴

The trouble was settled for a short time only. Quarry accused Penn of encroaching upon the admiralty jurisdiction, and said that illegal trade continued.¹¹⁵ For this reason, the board of trade recommended in March, 1701, that the proprietary provinces should be placed on the same level of dependency as the other colonies,¹¹⁶ without prejudice to the property rights, and in the same year a bill to that effect was introduced and considered in the house of lords.¹¹⁷ Penn answered these charges in several despatches. On December 31st, 1700, he wrote that he had made himself unpopular to some in the colony by his stand on these questions.¹¹⁸ Three months later, he stated that the amount of smuggling in Pennsylvania was very small, and that its prosperity was not due to unlawful practices. "For indirect trade I cannot upon my best observations find our peoples much blamable. Some few have, and still visit Curaçoa, and this can not be helped,

¹¹¹ C. O., 5:1288, p. 11.

¹¹² *Ibid.*, pp. 98 *et seq.*

¹¹³ C. O., 5:1275, pp. 248-50.

In one seizure a parcel of East India Goods from Madagascar was found without a cocket. A valuation of £150 was placed upon it, although the goods were worth £1,000.

¹¹⁴ C. O., 5:1288, pp. 201-2.

¹¹⁵ *Ibid.*, pp. 413 *et seq.*

¹¹⁶ C. O., 5:1289, p. 16.

¹¹⁷ C. O., 5:1289, pp. 47-48.

¹¹⁸ *Ibid.*

as the coast is 150 miles long and there are no waiters.”¹¹⁹ On the 2d of July, 1701, he wrote that the country was improving, not by “piracy or forbidden trade, but honest labour and sobriety, and I wish them that have recommended themselves by their officiousness, or would do so (having little else than shipping to lie upon) were half as honest and useful and honourable as those they have faulted.”¹²⁰

After receiving the report of the board of trade to the house of lords and house of commons, Penn sent another despatch on the 26th of August, 1701, in which he again denied that he had opposed the admiralty jurisdiction, or that Pennsylvania was guilty of an extensive illegal trade. He strongly opposed the bill, while it was pending in the house of lords.¹²¹ A little later he returned to England and, through his influence, the bill was defeated.¹²²

At this time the charges of smuggling concerned the trade in tobacco, which was the chief article of export. Large quantities were taken to Scotland and subsequently smuggled into England. It was thought that this was very prejudicial to England, both in defrauding the exchequer of revenue and allowing Scotch manufactures to be sent back in return. Consequently, vigorous efforts were made to counteract the trade. Governor Nicholson, of Maryland, appointed Captain Meech to cruise in the waters adjacent to his colony for the purpose of stopping illegal trade. Some instances connected with his task reveal the amount to which Pennsylvania engaged in this contraband trade. Captain Meech found that a man by the name of Hamilton, who had been a trader in Virginia for a number of years, was now engaged in smuggling tobacco into England *via* Scotland, and bringing back Scotch merchandise, forging certificates and even going so far as to make false seals of the English customs houses. On one trip he had taken 300 hogsheads of tobacco and brought back a false cocket for 3,000 pounds of Scotch cloth and ticking, 30

¹¹⁹ *Ibid.*, p. 37.

¹²⁰ *Ibid.*, pp. 203-4.

¹²¹ *Ibid.*, p. 47.

¹²² C. O., 5:1290, p. 95.

dozen of Scotch hose and 30 tons of sea cloth. In reporting this instance, Meech sent in a list of fifteen men engaged in this trade—besides noting that there were others whose names he could not remember. These traders had counterfeit seals of the customs houses of London, Bristol, Liverpool, Whitehaven, Newcastle, Berwick, Plymouth and Bytheford.¹²³

Evidence of illegal trade between 1710-1750 is very vague. The loose connection between the colony and the mother country made it difficult to ascertain accurate information. The only sources were the governor's reports and the cases tried in the vice-admiralty. The former were usually very unreliable, as the governors were always eager to report that their provinces were in good order,¹²⁴ and when acting as judges of the vice-admiralty, they were especially anxious to make it appear that they were doing their duty. A case in 1724 illustrates this last point. Governor Keith wrote to the board of trade on the 25th of November, that he had made a seizure of the ship *Fame*, in spite of the negligence of the collector. The surveyor general's report, however, made the seizure appear to Keith's discredit. He claimed that the ship *Fame*, owned by a man named Pellin, a merchant in Rotterdam, arrived in Philadelphia bringing over immigrants from the Palatinate. It also brought East India and European goods to the value of £20,000, a violation of 15 Charles II, chapter 7. The vessel was seized and the collector left six waiters on board to watch her. The following night, sixty or seventy persons in disguise forcibly boarded her and took the vessel below the town, landing a greater part of the prohibited goods. A few days later, Keith went on board the ship, making a pretence of a new

¹²³ C. O., 5:1287, Journal of Captain Meech.

¹²⁴ C. O., 5:1266, R. 7.

Col. W. Hart said that there were three collectors in Pennsylvania to prevent illegal trade and he believed measures were effectual. Also that Pennsylvania had no trade with foreign Plantations except to Madeira, Cadiz, Alicante and Lisbon. Later, he said that on account of the vigilance of the officers very few seizures were made.

seizure, and the vessel was sold for about £600.¹²⁵ The collector protested that he and the king did not get their share of the seizure. Finally, after appealing to the king and the lords justices, the collector was allowed to prosecute in the proper court in Pennsylvania, where he obtained a condemnation.¹²⁶ Another instance in which 15 Charles II, chapter 7, was violated occurred in 1726, when Joseph Brown was judge of the vice-admiralty. The inventory of this cargo shows plainly what goods were considered useful in contraband trade.¹²⁷

40 pieces of calico in four bales	£60	0s.	0d.
10 casks of pepper 1200 lbs.....	80	0	0
2 pieces of muslin	5	0	0
10 pieces of silk 272 yards.....	40	16	0
6 pieces of Holland	21	0	0
21 pieces of Holland	63	0	0
9 pieces of Holland	31	10	0
48 pair of silk hose	17	0	0
34 pieces of coarse linen	32	0	0
12 pieces of ticking	54	0	0
9 pieces of osnaburgs	24	06	09
51 pieces of Kenting	30	12	0
8 pieces of striped linen	27	0	0
28 bags, buttons, and bundle of mohair....	4	0	0
12 papers of thread		10	0
brandy	6	15	0
cordage	6	15	0

Another feature of the smuggling was the undervaluation of goods, when the register and cocket appeared to be correct.¹²⁸ Governor Keith said, in 1719, that one-third of the rum imported was not registered.¹²⁹ Instance after instance came up to show that this was true. One interesting case was that of Thomas

¹²⁵ C. O., 5:1266, R. 52.

The goods taken in the seizure were: 2 cwt. of East India Tea, 1500 gallons of brandy, 200 gallons of French spirits, 1200 gallons of Burgundy claret and champagne, 70 bls. of gun powder, 30 tons of cordage, 40 tons of iron, 2000 weight of cheese, 200 bolts of Dutch sail cloth.

¹²⁶ C. O., 5:1267, R. 93.

¹²⁷ *Ibid.*, R. 112.

¹²⁸ C. O., 5:1267, R. 93.

There were a great many cases in which the chief charge was the lack of a register. One came up in 1728. In this instance it was very evident that the vessel was of English build and it was released.

¹²⁹ C. O., 5:1265, Q. 176.

Hazelwood, in 1750. He was the master of the ship *Sandwich* which left Rotterdam with three hundred Palatines bound for Philadelphia. The vessel touched at Cowes and a cocket was produced. When it reached Philadelphia it produced another cocket. It was found that there was a wide discrepancy between the two documents and that the goods were not only greatly undervalued, but, under cover of bringing in the personal belongings of the immigrants, quantities of East India goods were smuggled. Peter Randolph entered suit and was upheld by the court.¹³⁰

The most serious charges, however, brought against the Delaware district was that of carrying on illicit trade with the enemy in time of war. During the War of the Spanish Succession, a flourishing trade existed with the Dutch and Spanish West Indies *via* the French West Indies, which nominally obtained their provisions from France.¹³¹ The northern colonies exported to Curaçoa from 1200 to 1500 tons of bread and flour annually, and imported in return quantities of rigging sail, canvas, goods for weaving, cocoa, linen, muslins and silks.¹³²

Monte Christi¹³³ and St. Eustatius¹³⁴ were notorious smuggling centers, where trade with foreign colonies was carried on with as much ease as if it were not prohibited by law. The market in the northern colonies was so glutted with French sugars, that the honest trader could not import sugars from the British West Indies, except at a great disadvantage and loss.¹³⁵ The

¹³⁰ Pa. Hist. Soc. Mss. Custom House, Vol. I.

¹³¹ C. O., 5:1288, p. 271.

¹³² C. O., 5:1292, pp. 206-7.

¹³³ C. O., 5:1275, W. 3. Letter from Townsend White to London Correspondent, October 23, 1755.

Beer, G. L., *British Colonial Policy, 1754-1765*, p. 96-108. A full treatment of the trade of Monte Christi is given here—its situation—its commercial insignificance before it was made a free port, reasons for making it a free port, and the illegal trade with the continental colonies.

¹³⁴ Chatham Papers, Bun. 96.

¹³⁵ Addit. Mss. 33030 f401.

T. I. 476. Oct. 1756.

surplus of this illegal importation was re-exported to England and southern Europe, passing as British sugars.¹³⁶

While the trade with the foreign colonies was known before the Seven Years' War, its real significance had not been appreciated. This was largely due to the ignorance of the authorities in England concerning the trade between the continental colonies and the West Indies. When this war, which was to decide the struggles between England and France, was begun and every effort was made to injure the trade of the enemy, all of these illegalities were brought clearly to light. The recent excellent treatments of the trade regulations during the war, the colonial trade with the enemy, and the means adopted to check it, make it unnecessary to consider these subjects here.¹³⁷ It is sufficient to state that this illicit trade was on such an enormous scale that the British ministry, in 1763, felt justified in making more stringent regulations concerning it.

¹³⁶ Beer, *British Colonial Policy, 1754-1765*, p. 100, quoting letter from George Spenser to Amherst, *America and West Indies*, 95 (C. O. 5:60), and letter from Colden to Pitt, *America and West Indies*, 72 (C. O. 5:19).

T. I. 349. A long petition was presented May 7, 1763, from George Spenser in which there was a statement of the illicit trade with Monte Christi and fictitious clearances.

¹³⁷ Beer, G. L., *British Colonial Policy, 1754-1765*. Chapters V, VI, VII.

Root, W. T., *The Relations of Pennsylvania with the British Government, 1696-1765*, *passim*.

CHAPTER II

BRITISH LEGISLATION, 1763-1773

The British ministers of the period immediately preceding the American War of Independence accepted the conventional view of colonial empire. According to this view, the chief aim was to make the empire self-sufficing, and as a means to this end it was thought that the mother country should furnish necessary protection to the colonies, who, in return, should render her obedience. This conception of empire was severely tested at the close of the Anglo-French struggles of the 18th century, when the British Government was confronted with new problems of revenue and protection. As a preventive measure against future encroachments of the French and Indians, it was considered necessary to provide an adequate defense on the frontier and in the newly acquired territories. It seemed only fair that the expenditure necessary for this purpose should be met in part by the colonists, inasmuch as they had received, and would continue to receive, the greatest benefits. The experience of the Seven Years' War had proved beyond the shadow of a doubt that the colonies would not voluntarily assume their share of the burden. They had failed to furnish their full quotas¹ even under the stress of war, and it was not very likely that they would be more amenable in time of peace. This being the case, the only alternative was compulsion. In order to meet the necessary expense of this new system, efforts were made to obtain a larger revenue from the colonies through a series of laws relating to trade. Since the colonies were considered as parts of the empire rather than entities, the increase of the revenue from them was inseparably connected with imperial fiscal difficulties. For example, the sugar act was as much a part of the policy adopted towards France as that towards the colonies, and the tea act involved the relations

¹ H. of L. Mss., Pennsylvania's debt during the war was £234,782, 11s., 3d. sterling. Of this, £91,391, 16s. sterling remained undischarged, to be raised by taxes in 1767, 1768, 1769, 1770, and 1771.

of the East India Company more than those of the colonies. The parliamentary acts of 1763-1773, considered from this point of view, were not oppressive, but were merely stern imperial measures taken at a time when protection and strict economy were essential.

The colonists, however, being almost wholly concerned with their own local troubles, could not appreciate this necessity. Anything which interfered with their interests or any law which seemed to benefit another colony to their detriment was received with deep resentment. In addition to holding this narrow provincial view of trade, they were also influenced by their ideas of representative government, which led them to consider the power of legislation at an angle different from that adopted by the British ministry. From their point of view, all of these acts were oppressive to trade as well as a violation of political principles.

Since the program of the ministry in 1763 was designed for the purpose of raising revenue, the discussion of the various acts will be limited as far as possible to the economic reasons for their adoption and the resistance to them.

An analysis of the colonial trade legislation during this period reveals two methods by which the revenue was to be raised:

(1) New trade regulations.

- (a) Reorganization of the vice-admiralty.
- (b) Establishment of a customs board in America.
- (c) Prohibitory measures against foreign trade.

(2) New revenue acts.

(1) *New Trade Regulations*

The first of these methods was obviously designed to check smuggling. During the late war there had been an excessive amount of illegal trade with the French West Indies to the great detriment of British interests. According to a treasury report of October 4, 1763, the revenue from the colonial customs "is very small and inconsiderable having in no degree increased with the commerce of those countries, and is not yet sufficient to defray a

fourth part of the expense necessary for collecting it.”² The treasury board realized that this condition was due to the neglect and connivance which the existing system permitted. It seemed an opportune time for a thorough-going reform, especially as it was necessary to make some provision for the newly acquired territories.

(a) *The Reorganization of the Vice-Admiralty*

The reform began in the vice-admiralty.³ This institution had apparently been established in America before 1696, as a commission was given to Fletcher in 1692, to act as judge of a district which included East and West Jersey, Pennsylvania and New Castle.⁴ Little seems to be known concerning the institution at that date and even in 7 and 8 William III, c. 10, its powers were but vaguely outlined. According to this act it was supposed to try cases which involved breaches of the laws of trade and navigation. The proprietors of Pennsylvania, Carolina, the Bahamas, the Jerseys and the general court of Connecticut denied the necessity of such courts and claimed that their charters granted them admiralty jurisdiction. They also petitioned that their governors might have the same admiralty powers as the crown governors. It was decided, however, by the attorney-general that there was nothing in the charters of these colonies which prevented the establishment of vice-admiralty courts.⁵

A vice-admiralty court was established at Philadelphia which had jurisdiction over Pennsylvania, Delaware and West Jersey, and Robert Quarry was appointed judge of the district.⁶ This court met with opposition from the beginning. The chief ob-

² H. of L. Mss. Adm. Papers, No. 1.

Treasury Board Papers, I, 351.

Adm. Papers, Out Letters, Bundle 1057.

³ H. of L. Mss. Adm. Papers, Nos. 1-17, The reform in the vice-admiralty was extended over three years, 1763-1766.

Admiralty Papers, Out Letters, Bundle 1057.

⁴ Beer, G. L., *The Old Colonial Policy*, Part I, Vol. I, p. 292 n. 1.

C. O., 5:1287, p. 31.

Andrews, C. M., *Guide to the materials for American history to 1783 in the Public Record Office*, Vol. II, p. 35.

⁵ C. O., 5:1287, p. 14.

⁶ *Ibid.*, pp. 292-6.

jections were trial without jury and the encroachment of the maritime courts upon the domain of the civil courts. David Lloyd voiced the sentiment of many when he declared "that all those that did in any way encourage or promote the setting up of the courts of admiralty in this province were greater enemies to the right and liberties of the people than those that promoted the ship-money in King Charles the First's time."⁷ The opposition was so great that two laws were passed in the Pennsylvania assembly against the courts. One, in 1698, provided that all breaches of the trade laws should be tried under the common law and by a local jury. The other provided that no freeman should be tried or condemned in any case whatsoever, except by the lawful judgment of his equals or by the laws of the province. Both were disallowed because they were contrary to the statute of 1696.⁸

Although the terms of 7 and 8 William III c. 10, were ambiguous, the vice-admiralty court acted according to these terms until 1764. During this time various interpretations were made of the duties and jurisdiction of the court at Philadelphia. Whenever the principal offices were held by men from outside of the province, there was considerable friction with the colonial government; while, on the other hand, there seemed to be little difficulty when colonists were appointed or when the governor acted as judge. The most trouble occurred during the administrations of Robert Quarry, 1696-1713, and Josiah Brown, 1724-1728. Quarry, being the first judge appointed, had to face the natural opposition aroused by the introduction of an institution which seemed to curtail the power of the regular colonial officials. Brown was the only other person from outside of the province to hold office for any length of time. The period between these two administrations and the period from 1728 to 1763 were comparatively peaceful. This was no doubt due to the presence of col-

⁷ *Ibid.*

⁸ Charter and Laws of Pennsylvania, pp. 268-274.

Pennsylvania Statutes at Large, Vol. II, pp. 18, 45.

onial judges, who were lenient in their administration of the court and allowed the civil officials to encroach upon their jurisdiction.⁹

The problems which arose after 1696 centered about the method of condemning seizures, the relative jurisdiction of the civil and admiralty courts, absenteeism and the fee system. In the condemnation of seizures, as well as in other questions, the lack of an authority superior to the district courts was most detrimental. The colonial courts were too remote to be supervised adequately by the English admiralty, and yet it was obvious at times that the purpose of the vice-admiralty was defeated through the absence of such control. In order to establish the authority of the courts the whole system was reorganized. A new court for all America was erected, which had concurrent powers with the district court and could exercise all the powers of the English admiralty except that of appeal.¹⁰

The statutes concerning the condemnation of seizures from 12 Charles II to 3 George III varied so much in mode and place of trial that the officers were uncertain how to proceed. In 1764, it was decided that offences committed against any law of trade could be prosecuted, sued for, and recovered in any court of record or in any court of the admiralty or vice-admiralty, according to the wishes of the informer. If either party was not satisfied with the decision, he could appeal to the vice-admiralty court which had jurisdiction in the district where the offence was committed, and, if that had been the court in which the case originated or a further appeal was necessary, it was taken to the admiralty court in England.¹¹

The limitations of the jurisdiction of the vice-admiralty had also been vaguely defined in the act of 1696. There had been a

⁹ For a fuller discussion see Root, *The Relations of Pennsylvania with the British Government*, Chap. IV.

¹⁰ H. of L. Mss. Adm. Papers, No. 15.

Admiralty Papers, Out Letters 1057.

The question of appeals had been disputed since 1696. See Root, *The Relations of Pennsylvania with the British Government*, Chap. IV.

C. O., 5:1288, pp. 109-113, 413.

¹¹ *Ibid.*

dispute between Quarry and Penn concerning this matter.¹² Penn claimed that the vice-admiralty had no power on land and that it was necessary for it to go outside of the province to exert its control. On the occasion when a water bailiff was appointed, in the absence of Quarry, the latter complained that the rights of the admiralty had been seriously invaded. This was not the case. The appointment was only an emergency measure. Penn defined his attitude clearly in his dispatch of December 10, 1700.¹³ He said that the difficulty lay in the fact that the vice-admiralty and civil courts overlapped in their jurisdiction and disputes occurred on the border land. He pointed out further that there was no skilled lawyer in Pennsylvania who could settle disputes of this character. It seemed to him hardly possible that courts, established for the express purpose of trying offences against the acts of trade and navigation and for piracy, could be supposed to consider cases which arose within the limits of the province, however much they concerned the sale of goods from vessels or work done on vessels.

In 1702, Penn made further charges against Quarry in this matter, claiming that he was ignorant of the law and that he attempted to extend his admiralty jurisdiction to cases which were clearly within that of the common law courts.¹⁴ On account of the disputes which arose, the opinion of Sir Edward Northey, attorney-general, and Sir John Cooke, solicitor-general, was asked. They characterized the act 7 and 8 William III as "confused and dark" and in general upheld Penn's contention.¹⁵ From that time it was fairly clear that the jurisdiction of the vice-admiralty did not extend to cases on land. The question came up, however, again and again. For this reason the act 4 George III c. 15 stated clearly the limitations of the court.¹⁶ When the Earl of Northumberland was made vice-admiral of all America, his power extended "throughout all and every the sea shoals, public streams,

¹² C. O., 5:1288, p. 413.

¹³ C. O., 5:1289, pp. 278-90.

¹⁴ C. O., 5:1290, pp. 65-70.

¹⁵ *Ibid.*, pp. 109-113.

¹⁶ 4 Geo. III, c. 15, sec. XLI.

ports, fresh water rivers, creeks, and arms as well of the sea as other rivers, and the coast whatsoever of all America and territories dependent thereon and maritime parts whatsoever of the same and thereto adjacent as well within the libertys, and franchises, as without, to take cognizance, and proceed in all causes civil and maritime and in complaints, contracts, offences, or prospective offences, arms, pleas, debts, exchanges, accounts, charters, party agreements, suits, trespasses, injurys, extortions and demands, civil and maritime, whatsoever commenced between merchants and proprietors of ships, etc.”¹⁷ In short, the jurisdiction of the vice-admiralty was extended to every case, civil as well as maritime, which had the remotest connection with trade.

One of the chief defects of the system was absenteeism.¹⁸ The admiralty officials were not explicitly required by law always to be present in their district, and many of them were very negligent. On several occasions this had been considered a serious hindrance. Robert Quarry wrote from Philadelphia on July 4, 1698, that the admiralty court was in bad shape. “The register appointed by Randolph lives a hundred miles from Philadelphia, and the marshall also appointed by Randolph is not at present in the colony. Besides, the chief officer, the advocate, is in England, and does not intend to come to Pennsylvania.” On this account he was unable to proceed to business.¹⁹ At another time certain difficulties could have been averted had Quarry himself been present. While he was absent, because of ill health and private business, some offences were committed in the river at Philadelphia and the water bailiff was instructed to prosecute the case.²⁰ In order that such occasions could not arise, the act of 1764 required all of the officers to remain constantly at their posts of duty.²¹

¹⁷ H. of L. Mss. Adm. Papers, No. 11.

¹⁸ H. of L. Mss. A report concerning the officers of the civil, military and admiralty establishments, delivered in the house of lords on the 20th of January, 1766, shows the amount of absenteeism in the colonies.

Adm. Papers, Out Letters, Bundle 1057.

¹⁹ C. O., 5:1287, pp. 228-233.

²⁰ Root, *Relations of Pennsylvania with the British Government, 1696-1765*, p. 107.

²¹ H. of L. Mss. Adm. Papers, No. 1.

Admiralty Papers, Out Letters, 1057.

The fee system was largely responsible for this difficulty. The English government had always felt that it was out of the question to provide salaries for all of the officers of the vice-admiralty and in most instances the provincial government was unwilling to assist in any way.²² The fees were never large enough to defray an officer's expenses, and, in times of great opposition, fear of imprisonment sometimes kept them from accepting any at all.²³ Quarry wrote to the admiralty of England that he had "served his majesty for three years at his own cost and charge, and it had cost him a good deal of time, money, labour and hazard."²⁴ In order to make up the deficit, the officers were compelled to engage in private activities which took them away from their districts.²⁵

To obviate these difficulties special provision was made, in 1764, for salaries.²⁶ The vice-admiral of all America and the judge of the court were each to be paid £800 a year. The judges of the new district courts were also to have the same salaries as had previously been paid to the judge of the court at Halifax, which had been considered the most important court before the establishment of the one for all America. Thus the principal officers were supposed to be sufficiently compensated for their work and did not need to seek other means of earning a livelihood.

²² C. O., 5:1288, p. 413.

When Roger Mompesson was appointed to succeed Quarry, the latter informed the board of trade that Mr. Penn had recommended to his friends here in Pennsylvania that they "do amongst them settle £200 a year on the new judge."

²³ Root, W. T., *The Relations of Pennsylvania with the British Government, 1696-1765, passim.*

²⁴ C. O., 5:1288, p. 413.

²⁵ 6 Anne, c. 37, sec. VII.

13 George III, c. 3.

29 George II, c. 34.

The fees were definitely established by act of parliament in cases of prizes taken during a war, but fees in case of vessels condemned in seizures varied in amount. They were usually 10 per cent of the value of the seizure. Keith said, in 1727, that he received 7 1-2 per cent of all condemnations.

²⁶ H. of L. Mss. Adm. Papers, No. 15.

The treasury board felt that the vice-admiralty in America should be strongly supported by the officials in other departments, civil and military. Therefore they petitioned that all the governors should be given strict instructions to suppress illegal trade, to exert their authority in protecting the officers of the revenue, and to transmit such observations as might occur to them on the state of trade. The military force was likewise requested to lend its aid in any emergency. The commanders-in-chief of his majesty's ships and troops in America and the West Indies were asked to give all possible assistance, to make such use of the forces under their respective commands as would be most serviceable in suppressing dangerous practices, and to protect the officers from the violence of any desperate and lawless persons who should attempt to resist the due execution of the laws. Furthermore it was suggested that a sea guard should be instituted to co-operate with the officers of the vice-admiralty, the military and the civil government. The improvement of the sea guard at home had been of great service in suppressing contraband trade, and it was thought that it would insure the obedience to law if one were placed in America.²⁷

(b) *Establishment of Customs Board in America*

A change in the colonial customs house system came soon after the reorganization of the vice-admiralty. The treasury board had suggested, in its report of October 4th, 1763, that the revenue might be increased by the following remedies:

(1) All officers belonging to the customs in America and the West Indies should be fully instructed in their duty and should be compelled to remain constantly in their respective stations.

(2) Regular and constant correspondence should be required, which would keep the treasury informed about their proceedings. This correspondence should include an account of any difficulties they might meet in discharging their respective duties; also carefully drawn up accounts of imports and exports of their district,

²⁷ H. of L. Mss., Adm. Papers, No. 1.
Admiralty Papers, Out Letters, 1057.

amount of illicit trade, observations on the efficacy or inefficacy of any existing regulations, and suggestions of such alterations as would lead to the further improvement of the revenue.²⁸

These remedies were adopted, and as a result detailed instructions were sent to all governors, surveyors-general, and custom house officers.²⁹ The number of circular letters inquiring about the state of trade and manufacture in each province increased rapidly, but the replies were not at all satisfactory. Some of the reports were unsystematic and unnecessarily long, while others were too meagre to be of any use. For this reason it was impossible to ascertain the amount of revenue from the colonies. A report made to the commissioners of the customs at London on the 3rd of April, 1767, concerning the duties in America, pointed out that "distance rendered correspondence with officers of the revenue very tedious and liable to uncertainty and interruption. Instructions and orders of the board could have but little effect—negligent, partial and corrupt officers, made various pretences either to defeat or elude the directions sent them, while the diligent and faithful officers, who were willing to do their duty, found great discouragement for want of ready assistance and information.

"The truth of this general observation has been long known and felt, but the oppression which officers of the revenue labour under in America (more especially in some parts of the continent) has lately grown to such an enormous height, that it is become impossible for them to do their duty, not only from the outrages of the mob, but for fear also of vexatious suits, verdicts and judgments in the provincial courts. Assistance from the governors and the institution of surveyor-general of the customs in America is very inadequate. It would be imprudent at times to act as the guarding of the revenue demands. The variety of busi-

²⁸ H. of L. Mss., Adm. Papers, No. 1.
Admiralty Papers, Out Letters, 1057.
Treasury Papers, XI, 27, p. 318.

²⁹ C. O., 5:1233. Instructions to the governor from the secretary of state. It was during this time that John Penn received the letters referred to in the first chapter.

ness arising from the acts of navigation, trade and revenue in America depends almost wholly on the prudence and good conduct of the surveyor-general, and the distance is too remote for him to be of adequate use."³⁰

Between April and September, 1767, a careful investigation was made of the custom houses and their officials in America. It was finally decided that it would be economical in the end to establish a general customs board in America which would supervise all the custom-houses on the continent and in the Bermudas and the Bahamas. A board of this nature was formally inaugurated by letters patent on September 8th, 1768.³¹

The principal duty of this board was to give information to the commissioners of the customs in London concerning the state of revenue in America. It was to all intents and purposes the colonial branch of the London custom house and the methods of the latter were adopted.³² Consequently accounts were more carefully and systematically entered. Mr. Irving, the inspector-general of imports and exports and register of shipping, made out a table of accounts similar to the one which he meant to follow in his office and sent it to each port with instructions that they should make quoted reports according to this model. As a result, the shipping returns of all the colonies, from 1768 to 1773, were entered under the following general heads: .

(1) Imports and exports to and from Great Britain and Ireland.

(2) Imports and exports to and from Southern European ports; Africa and the Wine Islands.

(3) Imports and exports to and from the West Indies.

³⁰ Treasury Board Papers, I, 459; XXVIII, I.

³¹ *Ibid.*, XI, 28, p. 145.

³² The extent to which this board was effective may be found in letters among the Admiralty Papers II 3866; in the accounts which were sent to the lords of the treasury from the custom house, Boston, beginning September 8, 1767—Custom House Establishment Books, Custom House, London; and in the letters sent by the American board of commissioners to the various collectors and comptrollers of the colonies,—Custom House Miscellanea 16. Register of Letters Outward beginning January 5, 1768.

(4) Imports and exports coast wise.

(5) Account of duties on exports and imports.³³

This was a great improvement on the old hap-hazard method of keeping accounts. Mr. Irving wrote in 1770 concerning the matter :

"Previous to the establishment of this board the customs were drawn in a very confused, imperfect and inaccurate manner. The accounts of imports being entirely omitted by reason of the multiplicity of articles of which said cargoes generally consist, and the imports and exports to and from neighboring colonies (which commonly pass under the denomination of coasting trade) being seldom if ever inserted in the accounts, and even such goods and commodities as were brought into the account were not arranged in any order or method, nor were the real quantities thereof ascertained with proper precision, so it was merely impossible for me to keep an account of import and export either for the information of government or to be a check upon illicit trade agreeable to the end and design of my appointment."³⁴

(c) *Prohibitory Measures Against Foreign Trade*

One of the chief reasons for a more thorough supervision of trade was the enforcement of the "enumerated" policy as outlined in the navigation act of 1660,³⁵ the staple act of 1663³⁶ and the colonial act of 1673.³⁷ While two of these acts were originally directed against the Dutch, the principle upon which they rested was the economic independence of the empire. The aim was to encourage the production of raw material in the colonies and to make England the center for manufacturing. To offset the disadvantage to the colonies of requiring them to send their sugar, tobacco, cotton, wool, indigo, ginger, logwood, fustic and other dyeing wood, and cocoa nuts directly to England or to some other British colony,³⁸ an attempt was made, by means of bounties and

³³ Customs 16:1.

³⁴ Treasury Board Papers I, 476.

³⁵ 12 Charles II, c. 18.

³⁶ 15 Charles II, c. 7.

³⁷ 25 Charles II, c. 7, sec. 5.

³⁸ Beer, G. L., *British Colonial Policy, 1754-1765*, Chap. X. *passim*.

preferential tariffs, to secure the English market for certain colonial staples. For a district which enjoyed a direct trade with the mother country, these regulations could work little hardship, but in those districts, such as the Delaware, which depended upon circuitous routes there was little sympathy for such a policy. Before 1764, the only enumerated article which seriously affected the trade of this district was sugar, as tobacco had ceased to be of importance early in the century. In that year,³⁹ however, the enumerated list was enlarged, the chief additions being lumber and iron. The colonists complained of this legislation, and in order to minimize their distress parliament passed another act, in 1765, providing for the payment of bounties on these products.

This relieved the situation to some extent, but it was generally regarded in the northern colonies as inadequate compensation for the hardship of having the articles on the enumerated list. On account of its bulk and smallness of value, lumber could not, as a rule, be sold at a profit if it had to reach its final market by way of England.⁴⁰ The same was true of iron. John Dickinson said, "Indeed, to require us to send all our iron to Great Britain is, in the opinion of some of our most judicious merchants, to require an impossibility. For, as the article is so heavy and such small quantities can be sent on one vessel, they assert that we cannot send freight directly home for one-half of it."⁴¹

The additions to the enumerated list in the act of 1764 were not so objectionable as the new restrictions placed upon the trade with the West Indies and the minute regulations made for inter-colonial commerce. The traders of the Delaware district had always been vitally concerned in attempts to prevent the continental colonies from using the foreign West Indian markets, and had made protests whenever the matter was brought up. Mr. Paris, agent of Pennsylvania, presented a memorial, in 1731, which gave reasons why the monopoly which the assemblies of the Barbadoes, Antigua and St. Christophers demanded, would be injurious to

³⁹ 4 Geo. III, c. 15.

⁴⁰ Beer, G. L., *British Colonial Policy, 1754-1765*, Chap. X. *passim*.

⁴¹ Chatham Papers. Bundle 97.

British trade in general. He said that "Pennsylvania may be called one of the bread colonies," and he pointed out that she imported more manufactures from Great Britain than the other three colonies together.⁴² Furthermore, he said that she obtained means for purchasing merchandise through trade in food stuffs with the West Indies—the foreign as well as the British. Since the latter could not consume the surplus of the bread colonies nor furnish the northern colonies with all the molasses, sugar and rum required, it seemed more correct to promote the trade than to curtail it.

In 1733, the West Indies, from the point of view of trade, were by far the most important colonies of the British Empire. Compared with them—especially the sugar islands—the continental colonies were insignificant. On account of this, everything was done to promote their welfare. The molasses act was passed, as the government thought that legislation compelling the continental colonies to purchase their molasses and sugar from the British West Indies would necessarily increase the prosperity of those islands which were already occupied and would strengthen the British in their struggle with the French for the possession of St. Lucia, Dominica and St. Vincent. Conditions, however, changed considerably during the next thirty years.⁴³ The continental colonies developed much more rapidly than the West Indies, and a very flourishing trade sprang up between the northern

⁴² C. O., 5:1267, S. 13.

B. T. Commercial Series II, Vol. 414. The statistics given in this volume do not bear out this statement. From Christmas, 1731 to Christmas, 1732 the exports from England were as follows:

Pennsylvania	£41,698	Montserrat	£2,075
Antigua	22,376	Nevis	4,666
Barbadoes	60,191	St. Kitts	18,024
Jamaica ..	132,780		

C. O., 5:1267, S. 34.

It is hardly possible that the situation was as Mr. Paris presented it because Governor Gordon said in 1731 that Pennsylvania did not have a large trade with the foreign plantation, sending only three or four vessels to Surinam and perhaps one to Curaçoa and sometimes one to St. Eustatius, but none to the Spanish or French colonies.

⁴³ Dickinson, John, *Late Regulations*. *Memoirs of the Historical Society of Pennsylvania*, Vol. XIV, pp. 221-2.

colonies and the foreign islands in violation of the molasses act. The British West Indies were no longer capable of taking all of the goods of the northern colonies or of furnishing them with sufficient West Indian produce.

The Delaware traders were the chief offenders. The small amount of duties collected from this act shows how inadequately it was enforced. Only £600 6s. 10d. were collected on merchandise and £141 11s. 9d. on prize goods, from 1733 to 1750. Violations of the act were also brought to light in the proceedings and *viva voce* evidence taken before the commissioners of trade and plantations in 1750.⁴⁴ In this investigation testimony was given by merchants of London trading with the sugar islands, who thought that it would be prejudicial to their interests, if the illicit trade were allowed to continue. They called attention to the manner and the degree in which the northern colonies, more particularly Rhode Island and Pennsylvania, had evaded the law. In times of war, "it was done by flags of truce, sometimes with only one, two or three prisoners, and sometimes purchasing prisoners for that purpose, and, since the war, in an open and regular course. It was a known fact that the northern colonies consumed great quantities of French and foreign rum, sugar and molasses, and it was well known that they never paid any duties for it. Vessels have cleared from Rhode Island to Jamaica, have gone to some other British settlement, have sold their lumber for specie, refusing rum and molasses, and have gone to some foreign settlement and bought a cargo of rum and molasses with that specie and, sometimes, linen, silks, East India goods and other prohibited merchandise."

In this investigation some of the reasons for trading with the French were brought out. In the first place, the lumber produced in the French colonies on the continent was not so useful for their puncheons and hogsheads as that grown in the northern English colonies, and it was less difficult to import it from the northern colonies than from Canada or Louisiana. Secondly,

⁴⁴ C. O., 5:38. Proceedings and *Viva Voce* Evidence Taken Before the Commissioners of Trade and Plantation in 1750.

provisions and specie were very scarce in these plantations and, if the merchants could not exchange their West Indian products for lumber and provisions, they were reduced to extreme necessity. Thirdly, since lumber alone was sometimes sent, and a cargo of it was not always sufficient to purchase the required amount of rum, molasses and sugar in the French colonies, specie was demanded in the British sugar islands instead of products, to make up the balance.⁴⁵

The British West Indian merchants suffered considerably from this trade as it took away most of their specie and prevented them from selling their products in North American markets. Consequently, they petitioned for an act which would prohibit the trade more effectively. They suggested a more thorough-going supervision of ports and certification of goods.

The act which resulted from these petitions was clearly in line with the reforms in the vice-admiralty. The detailed regulations in respect to the loading and unloading of goods presuppose an active vice-admiralty court and the co-operation of a water-guard, a military force and the civil government. The aid of these institutions was necessary to enforce such provisions as : (1) that, before any vessel could take on its enumerated goods the owner must take out bonds to the value of the goods and certify that they were going to Great Britain or to some British plantations; (2) that no ship should be cleared from Great Britain or the colonies unless the entire cargo was laden and shipped to one destination; (3) that the certificate for entry and discharge must be under the hand and seal of the customs officer, comptroller, collector of customs and four of the commissioners in London or three in Edinburgh. Careful provision was made for damage suits. An officer could not be sued for damage in case of seized goods, the owner could not recover costs, and persons who claimed seized goods were obliged to deposit security to cover the costs of the suit.⁴⁶

⁴⁵ *Ibid.*

⁴⁶ 4 Geo. III, c. 15, sec. XII, XXVII, XXX, XLIV.

C. O., 5:1233. Orders and Instructions to Thomas and Richard Penn, April, 1767.

The sugar act was not merely a revenue measure, but, like the molasses act, it was also intended to direct trade into certain channels. New duties were imposed upon foreign coffee and pimento, oriental and French goods, and wine from Spain and Portugal. Madeira wine re-exported from Great Britain was allowed a drawback of £3 per ton. Since the duty upon the direct importation was £10 per ton, it was thought that this would cause the trade to go by way of the mother country. The molasses act was made perpetual, with the duty on foreign molasses and syrups reduced to 3*d.* a gallon, the duty on foreign sugars raised to £1 7*s.* per cwt. and the importation of foreign rum or spirits absolutely prohibited. The two and one-half per cent duty on foreign goods re-exported from Great Britain was not paid, nor was any part of the old five per cent subsidy drawn back.⁴⁷

These were all significant changes which were meant to benefit certain parts of the empire by giving preference to their industries. Beside this, every effort was made to make Great Britain the entrepôt for the whole empire, with the hope that the duties paid into the British exchequer would be increased thereby and that smuggling would be decreased by a more careful supervision of exports and imports.

This measure was very unpopular in the northern colonies. In the first place they felt that it was unjust to promote the interests of some of the dominions at the expense of others. John Dickinson, writing to William Pitt in December, 1765, said concerning the matter: "In this light the restrictions laid on their trade to the foreign plantations in the West Indies are regarded and will be regarded. The natural consequences of these restrictions are to impoverish the continental colonies, to render them dissatisfied, and gradually to break off their connection with Great Britain by lessening their demands for manufactures."⁴⁸

One argument, given in support of this view in a paper endorsed "Mr. Huske's Scheme for Free Ports in North America,"

⁴⁷ 4 Geo. III, c. 15.

⁴⁸ Chatham Papers, Vol. 97. Letter from John Dickinson to William Pitt, 1765.

has a very modern ring. After pointing out that it ought to make little difference what foreigners did, since the West India planters were unable to supply the markets of the continental colonies, he said, "setting aside its not injuring our sugar planters, do not these supplies to foreigners and the advantages made of the returns also give support to our northern plantations? Does it not make them more useful and beneficial to the mother country and does not the supplying foreign colonies with what they want and taking from them that they produce, so far as this extends make them colonies of Great Britain, and this too, without the expense of supporting and defending them?

"France and Spain, fully sensible of the immense advantages we reap from trading with their colonies in the West Indies, have done and continue to do all in their power to prevent it, except for articles which their colonies occasionally want. And we have, ever since the late peace, done their business for them more effectually than they could have done it for themselves, when from all considerations and in every point of view we ought to have done the reverse."⁴⁹

Secondly, the increased list of enumerated goods and the proviso that even non-enumerated goods should not be sent to ports north of Cape Finisterre, unless they had touched at Great Britain, were considered very harmful. One pamphleteer said concerning sugars, and this would apply to other articles as well, "if we go to Great Britain first and land them there, it will prove so expensive by the delay and charges of loading and unloading and reshipping, and also a double freight insurance, that the trade cannot be carried on to any advantage, especially in time of war. If we carry these sugars direct to a foreign market by license from Great Britain, the difficulties and embarrassments are still greater, as the vessel in which any sugars are to be shipped must first go to Great Britain and the master enter into bonds there, before a license can be procured, during which time the sugars are to remain in the king's stores here, and after they are delivered in a

⁴⁹ Addit. Mss., 33030, f. 318. Mr. Huske's Scheme for Free Ports in North America, 1765.

foreign port, the vessel must return to Great Britain to cancel the bonds, before she can proceed in any other voyage—though the liberty granted to carry these sugars directly to foreign ports by license, might be intended as an encouragement to the trade, the regulations and restrictions are such as will effectually defeat this very design.”⁵⁰

The multiplicity of bonds and cockets and the tedious delays which they caused constituted a third objection. Besides the bonds required for enumerated goods, the master of the vessel was not allowed to take in any more enumerated goods without first giving another bond with surety. By this act, bonds were also required for the coasting trade. Before a cocket could be taken out, oath had to be made stating when, by whom, and in what vessel the article was intended to be exported. At times information could not be obtained at once and the delay was apt to cause embarrassment.⁵¹

An extract from a letter written by an American concerning the British legislation from 1765-69, gives a very good example of the general feeling:

“Pardon me, honorable sir, when I say that it is the opinion of most of us in North America, that the British legislature for the last two years have been entirely misinformed of the true state of these colonies,—and the real advantage accruing from their commerce with their mother country. For (exclusive of the stamp act) the duties upon foreign sugars, molasses, wine, etc., not only lessen the number of shipping, but in a great measure prevent the merchants from means of making remittances home for the incredible quantities of woollen, cutlery, and other British manufactures. Besides, every dollar or pistol paid in duties takes off so much from the sums remitted for British manufactures; because nine-tenths of the specie imported amongst us from the Dutch free ports, the Spanish Islands and Main, have constantly in peace been sent home, and we not having one-quarter

⁵⁰ Pamphlet. Observations on the Several Acts of Parliament by a Boston Merchant.

⁵¹ *Ibid.*

enough of our own produce in this and neighboring provinces for the necessary remittances. Specie and foreign sugars have ever made up the deficiency. But those not being any longer to be had, new methods must be fallen upon to clothe us."⁵² He also pointed out that there was not enough specie in the colonies to pay for such duties as the stamp act demanded for one year.

(2) *New Revenue Measures*

The first act passed for revenue alone was the one which granted and applied certain duties in the form of stamps on papers, documents, pamphlets, etc., for the purpose of defraying the expenses of protecting the colonies. As in the case of the vice-admiralty reforms, means were provided for collecting these duties. Six thousand pounds were to be paid out of the sinking fund for meeting the necessary expenses of carrying the act into execution.⁵³ This sum was to be used in salaries to the various officers who would be in charge of collecting the duties. The following were the salaries granted: £10 additional per annum to the chamber keeper; £40 additional per annum to the receiver general; £50 additional per annum to the comptroller; £100 to a new secretary to the comptroller; £20 to a second clerk to the comptroller; £50 to the packer and messenger of the American stamp warehouse; £100 and eight per cent of monies collected to the distributors of stamps and 20s. per day for their traveling charges when out upon their inspection.⁵⁴

This act was the result of a plan which had been proposed a long time before.⁵⁵ To the British statesmen of the period it was clearly within the limits of parliamentary jurisdiction, as was shown by the vote in both houses. The commons passed it by a

⁵² Chatham Papers, Vol. 97, Proposal signed by an American Farmer.

⁵³ H. of L. Mss. Paper marked Treasury Chambers, 9 July, 1765.

⁵⁴ H. of L. Mss. Paper marked Stamp Office, 27 April, 1765.

Mr. Bretell, Secretary to the Commissioner of Stamps, to Mr. Jenkinson, Secretary of the Treasury.

⁵⁵ Addit. Mss., 33030, f. 376. "Reasons humbly offered in support of a proposal lately made to extend the duties in stamp paper and parchment all over the British Plantations."

Beer, G. L., *British Colonial Policy*, pp. 38-41.

vote of 250 to 49, and it passed the lords without a division. It appeared to do away with the many difficulties inseparably connected with port duties and appropriations. To the colonists it represented all that they had grown to feel was tyrannical and unjust. They saw in it a violation of an abstract principle which those responsible for the measure did not recognize. On account of this wide difference of opinion concerning taxation, the opposition to the act in America was predominantly political. The resistance, however, had also an economic basis. The act was economically untenable on account of the scarcity of coin, and would no doubt have been a hindrance to trade, if it had been enforced.⁵⁶ The small amount of specie in this district was for the most part Spanish coin which came through the West Indian trade or by smuggling. Paper currency was the usual medium of exchange. While this answered the purposes of the trade within the district, its depreciation rendered it useless outside.⁵⁷ It could not be used for remittance to Great Britain and was not accepted in payment of duties. Thus any bill such as the stamp act, which demanded sterling in payment was not only a hardship, but impossible of execution because there was no metallic money available.⁵⁸

In the examination of merchants before the house of lords this point was clearly brought out. A merchant was asked if he thought that a modification of the stamp act, so as to permit the colonies to pay in goods instead of specie, would make it reasonable. He answered in the affirmative. To the question, "If the stamp act had been executed without opposition, would you have usually answered orders," he replied, "I should have considered them disabled to the amount of the tax and would therefore shorten my credit." The same merchant also said that, if the act

⁵⁶ Addit. Mss., 33030, f. 163. Franklin said, in his examination before the house of lords, that the act was impracticable because the posts did not go back into the country.

⁵⁷ C. O., 5:1289, pp. 17-31.

⁵⁸ C. O., 5:1270.

T., I, 471.

Paper Currency was worth 35 per cent exchange on London, in 1723, but rose to 70 per cent before the close of the colonial period.

continued and was submitted to, he would decline to send goods, except when they were paid for in advance.⁵⁹

As the act was never enforced in Pennsylvania, hardship of this sort was not felt; but the determination not to obey it obstructed trade in such a way that many feared its consequence. The date set for the enforcement of the measure was November 1st. In spite of the lateness of the season nothing was done for a month. In the meantime vessels were not allowed to clear without stamped paper, and the distributors, fearing the violence of the mob, did not distribute the stamps. On December 1st, 1765, the collector and comptroller wrote to the commissioners of the customs:

"We make no doubt that your honours will have heard, long before this reaches you, of the opposition made in all parts of America to the stamp act and that the papers are arrived in the different colonies [and that] the people will not receive them nor suffer them to be used. We have been ever since the first of November (when the act was to commence) and for a long time before deliberating about what part would be proper for us to act, or rather whether it would be prudent of us to act at all, as officers of the customs without stamp paper. And we still are at a loss how to determine. We have not yet done anything since the 1st of Novemebr, but people, who have vessels loaded, begin to be very uneasy and clamorous. The winter is near at hand and we may expect in a short time that our navigation will be stopt by ice. The harbour is full of vessels and, if we don't begin soon to permit them to depart they will probably be shut up all winter, which will occasion great distress, and perhaps ruin to many of His Majesty's subjects, and at the same time be a means of lessening the revenue of customs.

"What we have said above is on a supposition that it is in our power to detain them; but that is not the case. We dare not do it if we would. People will not sit and see their interest suffer and perhaps ruin brought upon themselves and families when

⁵⁹ Addit. Mss., 33030, f. 163.

Examination of Merchants before the House of Lords, 1765.

they have it in their power to redress themselves. What has lately happened at New York (and the same spirits prevail as strongly here) is sufficient to convince us that it is in vain for us to contend against the general voice of a united people. We have not the least hopes of enforcing the act by anything that we can do, at present. The people of all ranks are so averse to it that we do not know whether they had rather see the city laid in ashes than submit to it. We may lessen ourselves in the esteem of the people and expose the weakness of your power to put this or any other law into execution, if at this time we obstinately refuse to comply with their requests; and we can see no good consequences that can possibly ensue from it, so that upon the whole we are of opinion that it will be best to let the business of the custom house to go on as usual till we receive instructions to the contrary. The surveyor general is of this opinion, but he does not choose to give us any orders as he cannot undertake to indemnify us against the penalties of an act of parliament. As this is an unprecedented case, we have no rule to walk by and, therefore hope the most favourable construction will be put on our conduct. We have waited thus long in order to be at a greater certainty whether the stamps were to be had or not. As there is not the least possibility of getting them, we must submit to necessity and do without them, or else in a little time people will learn to do without them, or us, as no custom-house officer in America dare venture to seize a vessel, even if she came without any papers at all.”⁶⁰

Seven days later, Charles Stuart, surveyor-general in America, wrote to the commissioners of the customs thus: “All of the distributors of stamps between Halifax and St. Augustine have been compelled to resign their commissions, and no stamp paper can be obtained in all these countries. This has thrown them into great confusion. The courts of law are shut, redress for injuries cannot be obtained, debts recovered nor property secured nor transferred. But the evils necessarily occasioned by a stop to the

⁶⁰ H. of L. Mss., 1, December, 1765, Extract of a letter from the collector and comptroller of Philadelphia to the commissioner of the customs.

internal business and police of the colonies, are not equal to the consequences of shutting up their ports at this season of the year. Permit me briefly to enumerate a few of them. Thousands of seamen and others, whose sole dependence is on navigation are not only rendered useless to their country, but deprived of the means of subsistence; provisions, for which at this time there are large orders, particularly for corn for France and Spain, Portugal, the Mediterranean, etc., must perish on hand, while famine may spread through our West Indian Islands, by being suddenly cut off from their usual supplies; Ireland would be greatly distressed for want of flax seed from hence on which her linen manufacture depends; other articles of produce by which remittance may be made are detained in this country, the revenue lessened, and trade and navigation, the source of wealth and the support of the maritime and commercial nation, entirely stopped, which must be attended with ruin to multitudes and distress to all. These are weighty considerations, but a stronger inducement for proceeding to business here and at New York still remains.

“The officers at both places have by their address and prudence evaded for a full month granting clearances, in hopes that some way would be opened by which they might be extricated out of their difficulties; that time did not pass without strong application and even threats, which they had great reason to believe would soon become very serious. It is supposed there are now in this port 150 sail of vessels. The frost generally sets in about Christmas, and continues upward of two months. Nothing is more certain than that so great a number of seamen shut up for that time in a town destitute of all protection to the inhabitants, even of militia, would commit some terrible mischief, or rather they would not suffer themselves to be shut up, but would compel the officers to clear vessels without stamps. This would undoubtedly have been the consequences of a few days longer delay, and I need not add it would have been highly imprudent to have hazarded the event. The least evil attending it would in all proba-

bility have been the loss of about five thousand pounds belonging to the revenue of the custom house."⁶¹

The political opposition became so great that the act was repealed in 1766. At the same time changes were made in the sugar act of 1764 which had caused so much discontent. The duty on molasses was lowered to 1*d.* per gallon. Export duties were imposed upon oriental and French goods, and the colonial import duties on these articles were repealed. Coffee and pimento were charged with import duties when coming into Great Britain, instead of the former export duties.⁶²

The repeal of the stamp act completely defeated the British ministry in their attempt to raise revenue. There is little doubt but that they were at a loss to find some way to meet the large expense of the elaborate machinery set up in the colonies. Furthermore, in spite of the fact that men like Chatham and Burke were pointing out the fallacy of their method, the ministers did not seem to grasp the distinctions which the colonists drew between internal and external taxation. Thinking that he was making a difference Charles Townshend drew up the act which imposed duties on glass, paper, painters' colors, red and white lead, and tea.⁶³ It seems strange, if his motive was purely economic, that articles such as glass, paper, painters' colors and lead should be chosen. They were not necessities and the manufacturers of these articles depended largely upon the colonial market.

The objections raised against this act were also principally political. It would have meant a slight hardship to pay the duties on account of the lack of specie, but that consideration was insignificant compared with the desire to defeat the underlying principle of taxation. The belief that taxation without representation was unjust was becoming more widely accepted, and by 1770, had completely eclipsed the economic motive for resistance.

⁶¹ H. of L. Mss., Letter from Charles Stuart, surveyor-general in America to the commissioner of the customs.

⁶² 6 Geo. III, c. 52.

⁶³ 7 Geo. III, c. 56.

In that year the ministry were compelled to repeal all the duties imposed in 1767 except that on tea.⁶⁴

The tea duty has received a great deal of attention in accounts of this period of colonial history. It has always been considered as the supreme test of the ability of the colonies to maintain their principles of taxation, and as such has held an important place in their political annals. From the point of view of imperial trade the issue was more complicated. The East India Company and its relation with the home government between 1767 and 1773, gave rise to numerous troublesome questions.⁶⁵ Moreover, the problem demands attention here because the colonial trade was deeply concerned. In order to present the real position of the government and the economic reasons why the act was passed, it is necessary to discuss the fiscal difficulties which arose between the government and the East India Company.

In the early part of the eighteenth century the East India Company had become the sole legal carrier of tea to England and her colonies.⁶⁶ The use of tea had become very prevalent, and as a result the company was making enormous profits. In 1767, when it was taken as one of the articles upon which a duty was imposed, the company, in order to extend the home consumption and exportation of tea, applied to the house of commons, "to take off for a limited time the inland duty of one shilling per pound weight on all black and single teas consumed in Great Britain, and to allow a drawback on all custom house duties⁶⁷ upon tea exported to Ireland and the British dominions in North America for a limited time, and they declared themselves willing to indemnify the public in respect to the said drawback and inland duty

⁶⁴ 10 Geo. III, c. 17.

⁶⁵ C. O. 5:1283, p. 59. Maryland Gazette, 25 January, 1770, American opinion concerning the repeal of the revenue act.

⁶⁶ Treasury Solicitor Papers. Bundle 3321.

⁶⁷ Farrand, M., *The Taxation of Tea 1767-1773*—[Am. Hist. Review, Vol. 3, p. 266.]

The custom duties "consisted of the Old and New subsidies, and other subsidies granted at various times, which amounted, in 1767, to £23, 18s. 71-2d. on every £100 of the gross price, or about 24 per cent.

Baldwin, *Survey of British Customs* (London, 1779) Part II, pp. 26-31.

taking the said inland duty and the duties of customs so to be drawn back at a medium of five years."⁶⁸

The petition was granted, and, on the first of September, 1768, the treasury applied for the sum of £57,419 5s. 6d., which according to their account was due from the East India Company. Their method of reckoning was as follows:

The net produce of all the duties
of customs upon teas for five years
ending the 5th of July, 1767.....\$1,333,346 14s. 9d.

The net produce of all the excise
duties upon teas for five years
ending the 5th of July, 1767..... 2,261,483 10 5

Total£3,594,830 5s. 2d.

Average £718,966 1s. 0d.

The net produce of all the
duties of customs upon teas for
the year ending 5th July, 1768.... £382,981 14s. 4d.

The net produce of all the duties
of excise upon teas for the year
ending 5th July, 1768..... 310,867 5 8

Total £693,849 0s. 0d.

The net produce of all the duties
of customs upon the importation
of teas which were exported to
Ireland and the British colonies in
America for five years ending July
5, 1767, amounted to.....£161,511 2s. 6d.

Average £32,302 4s. 6d.

£661,546 15s. 6d.

Amount due from the East India
Company

£57,419 15s. 6d.

The director of the company objected to the accounts on the ground that the duties of customs for the year ending the 5th of July, 1768, were understated. The account drawn up according to the directors stood thus:

⁶⁸ Treasury Solicitor Papers. Bundle 3321.

The company promised to pay the deficit within forty days after the 5th of July in each year, if, after the deduction of the average amount of duties of customs on tea exported from England to Ireland and America, the amount in the exchequer was not equal to the previous average amount.

The net produce of all the duties
of customs upon teas for five years
ending 5th July, 1767.....£1,333,346 14s. 9d.

The net produce of all the duties
of excise upon teas for five years
ending the 5th July, 1767..... 2,261,483 10 5

Total£3,594,830 5s. 2d.

Annual Average £718,966 1s. 0d.

The net produce of all the duties
of customs upon teas for the year
ending 5th July, 1768..... £441,063 2s. 10d.

The net produce of all the duties
of excise upon teas for the year
ending the 5th of July, 1768..... £310,867 5s. 8d.

Total £751,930 8s. 6d.

The net produce of all the duties
of customs upon the importation
of teas which were exported to
Ireland and the British colonies in
America for five years ending the
5th July, 1767, amounted to..... £161,511 2s. 6d.

Average £32,302 4s. 6d.

£719,628 4s. 0d.⁶⁹

Amount due from East India Co..... 662 3s. 0d.

The treasury pointed out that the sum of £441,063 2s. 10d. was made up of two parts, duties on importations of teas consumed at home, £382,981 14s. 4d., and duties upon importation of teas afterwards exported, £58,081 8s. 6d. The company held that since the sum equal to the average annual net produce of the duties paid upon the importation of teas exported to Ireland and America were to be deducted, no other amount ought to be. They considered that, if they had to pay £58,081 8s. 6d., then they were paying twice for the drawback, and to support the argument they quoted the clause beginning "so as the money to be paid by the said company shall not exceed the annual net produce during the five years."

To this, the treasury replied: "Suppose the customs upon teas were appropriated to pay annuities and the net produce directed to be kept distinct and apart from the other public revenue

⁶⁹ *Ibid.*

for that purpose. In this case it is manifest that the sum of £382,981 2s. 10d. and not the sum of £441,063 2s. 10d. would be deemed the net produce applicable to the payment of such annuities. Examine the books of the customs, excise or salt offices, you will find that drawbacks are not included in the net produce of any revenue. Common sense indeed will teach us that the sum of money which never comes to the use of the public but is returned almost as soon as levied cannot with any propriety of language be called a net produce.”⁷⁰

The spirit of the act went against the company as well as the letter. It was evident that the public was in no event to be the loser, but was to receive, during the term of the act, the same income from tea, which, the quantities of tea sold continuing the same, it would have received had not the inland duties been discontinued and had the drawback not been allowed. The test sum which was annually to be made good to the public was a fifth part of five years' receipts of money actually paid into the exchequer and never drawn back.⁷¹

The treasury pointed out further that it would be natural to expect the company during the time of the act not only to import an amount sufficient to supply the Irish and American markets for that time, but enough for some years to come, when the drawbacks would cease. The exportation would then be very small for a considerable time. “Suppose,” they said, “that the drawbacks upon teas amount *communibus annis* to £50,000 a year and that in the four remaining years of the bargain there will be tea exported to answer the Irish and American demand for four years after the conclusion of it. In this case it is evident that, besides the loss of £50,000 a year after the drawback is resumed, they will, in the course of the next four years, suffer a diminution of revenue to the amount of £400,000, if the company are permitted to enter their drawbacks into the annual account as net produce of the custom house duties.”⁷²

⁷⁰ *Ibid.* (Treas. Sol. Papers. Bundle 3321).

⁷¹ *Ibid.*

⁷² *Ibid.*

It was also claimed that the East India Company defrauded the public considerably by contriving to change their date of sale. Before 1766 the company had always had two sales, September and March, and the annual revenue was £763,062 14s. 10d. When they learned or believed that the act of 7 Geo. III, c. 56, would be passed, they postponed the March sale to August. This made only one sale, in 1767, and caused the average to be computed from nine sales rather than ten. The company answered this charge by saying that the nine sales were larger than the ten during the five years before 1762, and that they were compelled to put the price very low in order to counteract the smuggling under high prices due to duties.⁷³

During the year ending July 5th, 1768, the government suffered considerably by this arrangement. It had been agreed that £718,000 or thereabouts, was the average of all duties before the act. The immense quantity of tea put up for sale in that year, however low the prices were, furnished duties sufficient to make good to the government that sum and some hundred pounds over. Besides, the government had paid in drawbacks £58,000, and had received from the company toward that sum only £32,000. The deficiency on the whole from the average of the foreign duties was £26,000, but towards the deficiency the American duty of 3*d.* should be taken into account. Nevertheless the government suffered and at the same time the company had no deficiency to make good. At the end of the next year the company had to pay £142,000 to make up for the deficiency. The drawbacks were £67,000, but, after the deduction of the £32,000 due to the government, there remained only £35,000.

In 1770, the government lost £18,500. Nevertheless, during the three years the company had lost through the decrease in the price of tea £600,000, although legal consumption had increased two-fifths; £185,000 had been paid for indemnification and the government was demanding £80,000 as the difference between the drawback and the annual £32,000. It was estimated that the company would be out £850,000 for three years, if the government

⁷³ *Ibid.*

won, while the government would not lose a shilling; if, on the other hand, the company succeeded, they would lose £785,000, and the government £80,000. In either case the experiment was a dear one.

That was the state of affairs between the government and the East India Company at the close of 1770. Neither the company nor the government was satisfied, and matters did not mend during the next few years. The difficulty seemed to lie with the North American colonies. After the repeal of the duties on glass, painters' colors and lead, the disturbances subsided. For a time tea was imported, principally at Boston but the amount was so small that the government revenues were insignificant, and the company steadily lost money. The truth of the matter was that the colonists in general did not need to patronize the company, because they could supply themselves with tea smuggled from St. Eustatius or from Boston, where the merchants were not over conscientious in carrying out the non-importation agreement.

Two attempts were made to satisfy all parties concerned. The first, in 1772, arranged that the company should pay £718,000 annually into the exchequer, since according to the treasury account the indemnification was never sufficient, and according to the company's table⁷⁴ the company more than indemnified the government. This arrangement did not aid in the American difficulties and the company was forced to store in English warehouses during that year 16,000,000 pounds of tea, at one shilling per pound, because of the discontent in the colonies. Such pressure was brought to bear upon the government that the company was allowed the privilege of importing tea directly into the colonies, duty free, on the condition that they would pay over to the government a sum equivalent to the former duties. It was hoped that by this method the company would be able to increase their sales appreciably, and at the same time remove the friction between the colonies and the mother country.⁷⁵

⁷⁴ cf. Tables, pp. 300-301.

⁷⁵ Treasury Solicitor Papers, Bundle, 3321.

As it worked out through concessions to the East India Co., the colonists were paying less for their tea than people in England—See M. Farrand—The Taxation of Tea, 1767-1773, p. 269.

Shortly after the arrangement was made it became evident that the colonies were not going to accept it. They saw no difference between paying the duty themselves and allowing the East India Company to pay it for them. Led on by this idea, they listened to those, who, for the sake of a principle, were anxious to thwart the plans of the government, and to those—and these were almost as numerous—who through fraudulent means were getting large profits by importing tea from Holland and Boston.⁷⁶ The latter class never lost an opportunity to keep up the fire of indignation against the government and the East India Company.

The general character of the opposition to the tea act in America and the especially vigorous measures adopted in Boston are familiar facts of history. We have only recently come to realize, however, the very important part played by the city of Philadelphia. The publication of the lengthy correspondence of James and Drinker of Philadelphia, Pigon and Booth of London, and their branch in New York, proves almost conclusively, not only that the resistance originated in Philadelphia, but that the movement in other colonies was largely directed by the Philadelphia leaders. Moderate and without excessive ferment, they were able to prevent the landing of tea, although they allowed Captain Ayres to protest, and loaned him a sufficient amount to prepare for a return voyage.⁷⁷

Thus it seems that the various acts passed during these ten years had, from the point of view of the ministry, an economic basis. The avowed purpose of the legislation from the beginning was to increase the revenue and in every instance the trade of the empire was the chief consideration. While it is true that some of the demands—for example, the sugar act—if enforced, would have impoverished certain parts of the empire and enriched others, that was more or less an incident in the general imperial scheme. The difficulties and embarrassments attending the

⁷⁶ Treasury Board Papers, I, 462.

⁷⁷ Bulletin of Friends' Historical Society of Philadelphia, Vol. II, No. 3 and Vol. III, No. 1.

Thomas B. Taylor, The Philadelphia Counterpart of the Boston Tea Party.

"enumerated" policy were no doubt recognized by those who made the demands, but to counteract the well organized system of smuggling there seemed to be no more effectual method than to make Great Britain the entrepôt of the whole empire. On the other hand the resistance to the acts in the Delaware district can be defended on economic grounds. The very nature of the trade and the economic conditions of the district forbade any restrictions on the West Indian trade. Although an economic pressure upon the trade is discernible only in the sugar and stamp acts, nevertheless the "enumerated" policy, which continued during the entire period except for a few alterations, was the chief cause of the later resistance. It would be impossible to explain except on political grounds the action taken towards the Townshend acts and tea acts. The non-importation agreements must be considered as economic measures taken against the general policy reflected in these acts, rather than against the acts themselves.

CHAPTER III

THE EFFECT OF THE BRITISH LEGISLATION

The numerous letters and pamphlets written by traders and colonists in disapproval of the ministerial program would lead one to conclude that the colonial trade was seriously hampered, that factories were erected in large numbers, that imports and exports rapidly decreased and that the high duties caused a great deal of hardship. There can be no doubt, however, that the evil results were greatly exaggerated. It is possible, by considering the state of manufactures, the custom house statistics of exports and imports, and the amount of smuggling during the period, to estimate roughly the real extent to which the legislation was effective.

(1) *Manufactures*

The state of manufactures in the colonies after 1763 is one of the best indications of the effect of the British legislation during this period. This is particularly true in the case of the Delaware district, whose traders were compelled to obtain British manufactures through circuitous routes. Restrictions placed upon the trade with the West Indies and southern Europe affected their ability to import manufactures quite as much as duties upon goods imported directly from Great Britain.

Before 1763, manufactures had gained little headway in the district. The small amount of woolen and linen produced was a sign of poverty. Most of the manufactures were of the household type, the price of labour being so high that it was unprofitable to establish factories. According to Dickinson, the situation had changed by 1765. He wrote to William Pitt in that year, "Thousands are now in these northern provinces raising flocks of sheep who never had any before; the price of which animal and their wool have within two years increased upwards of 30%. Beef, pork, wheat and our other produce fall daily in their prices, because the merchants cannot ship these commodities to other markets as formerly, which greatly favors raising of sheep; for

instead of fields of wheat, Indian corn, and grazing pastures for our cattle, most will in short time, if things continue as they are at present, be turned into sheep pastures. Fulling mills are erecting all over the country, dyers and other workmen are constantly arriving from home. It is the opinion of most people here that more woolen clothes have been made within the last two years than in twenty years together, which real necessity has set on foot. One thing that greatly encourages our manufactures in general is the lowness of wages of late, which are likely still to fall owing to the great scarcity of cash; the main obstacle of our setting up manufactures formerly being the exorbitant price of labour.”¹

According to Bagnall, a linen manufactory was set up in Philadelphia in 1764. Hemp, flax and land were purchased for this purpose, and some nine hundred persons were employed. A plant of another kind was started by Daniel Mause two years later. He advertised in the *Pennsylvania Gazette* that he had lately erected a number of looms for the manufacture of thread and cotton stockings, and other kind of hosiery, “hoping the good people of this and neighboring provinces will encourage this his undertaking at a time when America calls for the endeavors of her sons; and as the goodness of Pennsylvania made stockings is so well known and so universally esteemed, said Mause will work up thread, cotton, worsted, yarn, etc., in the best manner for the country gentlemen or others who may be pleased to employ him for a moderate satisfaction.”²

These instances and a few more represent the efforts made in setting up manufactories in Pennsylvania after 1763. They were at best spasmodic and temporary. John Penn, writing on January 27, 1767, said concerning manufactures in his province, “Very little encouragement is given to such schemes, nor do I know of any actually carrying out at this time except two. One of these was set up about three years ago in this city, by private subscrip-

¹ Chatham Papers, Bun. 97. Dec. 1765. Letters from John Dickinson.

² Bagnall, W. R., *Textile Industries*. 1789-1810, pp. 51-54.
Pennsylvania Gazette, May 1, 1766.

tion, for the making of sail cloth, ticking and linens, but the persons concerned have already sunk money by their project; for the high price of labour will not allow any of the articles to be made at so cheap a rate as those of the same quality and goodness manufactured in England and sold by the retailer here. They have therefore lately resolved to discontinue that undertaking."³

Penn's report differed considerably from that just quoted from Dickinson. The discrepancy between them is partly accounted for when the purpose in each case is analyzed. Penn as an official would be anxious to give as favorable an account as possible of his colony; while Dickinson, who strongly opposed the stamp and sugar acts was eager to give all of the facts their most gloomy aspect. Nevertheless, Dickinson wrote when two acts were in force which were considered by merchants to be pernicious to trade, and Penn's account came after the repeal of one and the partial repeal of the other. Taking all things into consideration, it seems that the legislation of 1763-1765 gave a little stimulus to manufactures in that it drained the district of specie and thus made it more difficult to get money for remittance to England. During the remaining years of this period manufacturing conditions remained about the same. There were spasmodic attempts to erect plants of various kinds, but the high price of labor, lack of capital and presence of free lands made manufacturing on a large scale unprofitable.

The various attempts to establish manufactories naturally accompanied a decrease in the importation of manufactures into the district. The merchants, in 1766, in giving evidence as to the inefficacy of the stamp act, claimed that there was a considerable decrease in manufactures sent from England. One house gave the following figures for manufactures sent to New England, New York and Pennsylvania:

1763.....	£1,131,901	4s.	4d.
1764.....	537,614	13	7
1765.....	404,644	14	10 ⁴

³ C. O., 5:1281, p. 69. John Penn sent another report with the same information on the 13 June, 1768.

⁴ Addit. Mss., 33030, f. 163. Examination of Merchants before the House of Lords, 1765.

(2) Trade Statistics

The export and import trade statistics between Great Britain and Philadelphia also show a decided fluctuation during the period. From 1702 to 1763 there was a fairly steady increase in spite of the many wars. After 1763, when the time seemed propitious for a great advancement of trade, the variation was not only greater than in the earlier period, but the high mark of 1760 was never reached again in the colony of Pennsylvania. While it would be too much to assert that this was wholly due to the British trade legislation, the fact that a decrease occurs after certain acts were passed indicates that the trade was affected by them. The greatest decrease of imports from England came during the years 1764-1766 and 1769-1770.⁵ Reasons for the first instance may be found in the sugar act and stamp act, which cut off means for getting remittances more than any other acts. The second period covers the years in which the non-importation agreements were most effective.

The first instance of a non-importation agreement was in 1765. Soon after the stamp act congress, which presented the political reasons why the act should be repealed, a paper containing six resolutions was passed around in Philadelphia from house to house and from store to store for signers. Among other things it was agreed that the subscribers should countermand all orders for British manufactures, unless they were articles which could be used in American manufactories, and that if goods were imported the sale of them should be prevented.⁶

It would be difficult to determine what force these resolutions exerted, as the closing of the harbors at Philadelphia between November 1st and December 1st accomplished their object. After the customs officers began to clear vessels without stamped paper the act was for all practical purposes null and void.

⁵ See App. IV.

⁶ Pa. Hist. Soc. Mss., An. 340. Non-importation agreement signed by the merchants in Philadelphia 25 Oct. 1765. According to the grandson of William Bradford, one of the principal factors in the movement, this paper was "the first public act in the country declaring resistance to the oppressive acts of the British crown."

No other concerted efforts were made until after the revenue act. In the meantime the quartering of troops in Boston, the appointment of officers out of sympathy with the colonial trade, the suppression of the New York legislature, and the stationing of cutters in the harbors, had added to the flame kindled by the acts passed previous to 1766. On the passage of the revenue act and the establishment of the customs board, attempts were made to interest British merchants in the American distress. For this purpose associations of economy and non-importation of superfluities were formed in most of the northern colonies.⁷ From a letter of New York merchants to merchants in Philadelphia, dated Sept. 1, 1768, it is evident that these attempts were of several months standing.⁸ They referred to a previous invitation, given to Philadelphia merchants to enter an association of non-importation, and complained that the scheme had fallen short because they had waited for the Philadelphia merchants to act. They considered the time of year most propitious because of the spring orders, and were determined to proceed without the aid of Philadelphia.⁹

The Philadelphia merchants were the last to enter the association. John Penn wrote in July, 1770, "The reasons, given by the merchants here for delaying to adopt the measures so long, were because they judged any such rash and untimely resolutions, instead of answering the purpose intended by them, would rather irritate the government against them and be the means of frustrating the design of the petitions, which had been sent by the assembly of this province to the king and parliament, and therefore they thought it most advisable to decline entering into any

⁷ C. O., 5:1283, p. 67.

⁸ Pa. Hist. Soc. Mss. Society of Collection Letters from New York Merchants.

Broadsides A. B. 1, No. 129. Pa. Hist. Soc. This paper published 25 April, 1768, shows that the Philadelphia merchants were also aroused early in the year.

⁹ C. O., 5:1299.

John Penn evidently refers to this letter in his correspondence with Lord Hillsborough, in 1770, when he wrote that attempts had been made as early as September, 1768.

agreement proposed by them, till they should know the success of these petitions. But afterwards, on hearing they were not likely to have the desired effect, they immediately joined heartily in the general association."¹⁰

The merchants of Philadelphia finally agreed on the 10th of March, 1769, that they would also restrict importation. The agreement varied in different colonies, but in general the following was accepted by all:

(1) Nothing was to be imported which was taxed by parliament for the purpose of raising a revenue in America, except paper not exceeding six shillings per ream and such articles as had already been ordered.

(2) Enumerated goods were not to be imported.

(3) Wines were not to be imported.

(4) No ewe lambs that would be weaned before the first of May were to be killed.

(5) If any enumerated goods were imported, importers, agents and managers were not to be allowed to make use of them.

(6) Persons disobeying these articles were to be boycotted.

(7) After the expiration of six months none of the enumerated articles were to be imported from any other colony which had imported them from Great Britain.

(8) No tradesman or merchant was to take advantage of the scarcity of these goods to enhance prices.¹¹

When it was learned that the house of commons had agreed to pass a bill for the repeal of duties on paper, glass, painters' colors and lead, but that the duty on tea was to be continued, the merchants of Philadelphia had a general meeting to consider the best plan of conduct to be pursued. They desired to wait until

¹⁰ C. O., 5:1299. Letter from John Penn to Lord Hillsborough, 1770.

C. O., 5:1300. Letter from Lord Hillsborough to John Penn in which he said "it would have redounded greatly to the honour of the merchants of Philadelphia, if they had kept to the resolution in which they so long persisted by declining any association against importation from Great Britain." See also Annual Register, 1765, p. 55. N. Y. Col. Doc., VII, pp. 799-800.

¹¹ C. O., 5:1282, Non-importation agreements.

the 5th of June before taking any steps, that they might learn the sentiments of the merchants of the neighboring colonies and act in concert with them. On the 5th of June another meeting was held, and it was determined that there should be no alteration in the agreement which they had entered upon on the 10th of March, 1769.¹²

The feeling, which existed among the merchants of Philadelphia at this time, is best shown in a letter written by James Drinker to his partner Abel James on the 29th of April, 1770. "I have heretofore mentioned to thee the restlessness and dissatisfaction of many of the importers under the present agreements; the pretexts for such uneasiness have been that the burden was unequally borne. While the importers of wine, molasses, etc., were pursuing their trade to considerable advantage and paying large sums into the treasury for revenues raised out of those articles, the importers of British goods were standing still and sacrificing all for the public good. That our agreement subjected us in many instances to hardships which the other colonies had in their agreement wisely guarded against. At Boston baize for fishermen was an excepted article. Maryland imports all coarse woolens at or under eight shillings per yard, and are running away with our trade for Indian goods and all others which that price will comprehend. Albany continues importing for their Indian trade; our Indians must be properly and reasonably supplied with clothing and other necessities, which in our present circumstances, the traders must apply for to Maryland or Albany. That in the agreement formed on the 10 March, 1769, a great number of persons signed who were not importers, yet these by the tenor of the agreement, are to determine as to our trade and property, and have a vote in the altering, releasing and annulling the same. It is further urged that so far as we have tried the experiment, it has proved grievous to many, and that a number of

¹² C. O., 5:1300, Letter written by John Penn to Lord Hillsborough, September 5, 1770.

shopkeepers and importers, who have but small capitals, must sink under it if continued another season.”¹³

In the spring of 1770 the non-importation agreements began to break. The repeal of the revenue act on April 12th, 1770, without the repeal of the duty on tea, caused a dissension among the American merchants regarding importation. On the 10th of May the principal merchants of Albany wrote to the merchants in New York thus:

“We are desired by the merchants of this place to acquaint you that they have this day resolved to make null and void their articles of non-importation entered into last summer, and are agreed to import all sorts of merchandise from Great Britain as before the agreement of non-importation was entered into, except the article of tea which they have agreed not to import till the duty on the same shall be taken off. We hope our resolution may be approved of by the merchants and traders of your place.”¹⁴

This news was received with disapprobation by some of the merchants in New York. Isaac Low wrote on the 26th of May to merchants in Philadelphia informing them of the action taken by the Albany merchants and expressing his astonishment at the “hasty and unwarrantable resolution,” but he hoped that it would not influence any of the merchants of New York or Philadelphia.¹⁵

It is quite evident, however, from a letter of Lieutenant Governor Colden to the Earl of Hillsborough, dated the 16th of May, that there were a number of merchants in New York, Philadelphia and Boston who were likewise ready to give up the agreement.

“The merchants in this place and in Philadelphia have under consideration, whether to import goods from Great Britain or not. I am told the majority both in this place and Philadelphia are

¹³ Pennsylvania Magazine of History and Biography, Vol. 14, p. 42.

Printed Correspondence of James Drinker to his partner Abel James.

¹⁴ Pa. Hist. Soc. Mss. Society of Collection, Merchants' Letters.

¹⁵ *Ibid.*

for importing, and that they will come to a determination in a few days. The party in opposition to the present administration join with the people of Boston in measures to prevent importation and for that purpose stole late in the night last week a procession of the mob to expose a Boston importer, who happened to come to this place. The magistrates knew nothing of the design till it was too late, otherwise, I believe it would have been prevented. Tho' the parties are much exasperated against each other, I hope the public peace will be preserved, and the issue will be favourable to the government."¹⁶

Three weeks later, on the 7th of July, 1770, Colden again wrote to Hillsborough. This letter indicates a wide divergence of opinion existing between the merchants of Philadelphia and New York. He said, "Soon after it was known that the parliament had repealed the duties on paper, glass, etc., the merchants in this place sent to Philadelphia that they might unitedly agree to a general importation of everything except tea. They at first received a favourable answer, and their agreement to the proposal was not doubted; but soon after a letter was received at Philadelphia from a gentleman in England, in whom the Quakers in that place repose the greatest confidence, advising them to persist in non-importation, till every internal taxation was taken off; this changed the measures of Philadelphia; but the principal inhabitants of this place continue resolved to show their gratitude for the regard the parliament has in removing the grievances they complained of. As there still remains a restless faction, who from popular arguments, rumours and invectives, are endeavouring to excite riots and opposition among the lower class of people a number of gentlemen went round the town to take the sentiments of the individuals. I am told that 1180, among which are the principal inhabitants, declared for importation, about 300 were neutral or unwilling to declare their sentiments, and a few of any distinction declared in opposition to it. I am informed likewise that the merchants of this place resolved to acquaint the mer-

¹⁶ N. Y. Col. Doc., Vol. VIII, pp. 214-5.

chants of Boston and Philadelphia with their inclination to import."¹⁷

The "gentleman in England," referred to, was, in all probability, Benjamin Franklin, who was in England at that time. A letter from him as agent for Pennsylvania and Massachusetts, written on the 18th of March, 1770, to a correspondent in America, concluded with this remark: "In short it appears to me, that if we do not now persist in this measure until it has had its full effect, it can never again be used on any future occasion with the least prospect of success, and that if we do persist another year we shall never afterwards have occasion to use it."¹⁸

It is impossible to determine whether or not the decision to retain the non-importation agreement in Philadelphia was influenced by this letter. It is certain, however, that after receiving word from New York that a majority of the merchants there had resolved to import everything, except tea and other articles on which duties might subsequently be imposed,¹⁹ the inhabitants of Philadelphia, the suburbs and a great number from the country, met in the State House and adopted the following resolutions:

"1. That the non-importation agreement entered into by the merchants and traders of the colonies is a safe, peaceable and constitutional way of asserting our rights and, if persisted in, there is reason to believe it will produce the desired effect, and therefore ought to be considered as a bulwark of our liberty.

"2. That good effect depends upon perseverance and that strength consists of union.

"3. That a breach of the agreement at present cannot be owing to any want of real necessities, especially in the northern colonies, and that the partial repeal of the American revenue act is no just foundation for deviating from the agreement entered into; as the claim of right to tax us without our consent is still kept up and the duty on tea retained as a test of that right.

¹⁷ *Ibid.*, p. 217.

¹⁸ Smyth, Writings of Benjamin Franklin, Vol. V, p. 254.

¹⁹ Pa. Hist. Soc. Mss. Society of Collection, Letter from Isaac Low and others in N. Y., 26 May, 1770.

"4. That the alteration adopted by a majority of the inhabitants of the city of New York is a sordid and wanton defection from the common cause, and that by that defection they have, as much as in them lies, weakened the public character of America, strengthened the hands of our enemies, and encouraged them to prosecute their designs against our common liberty.

"5. That all the bad consequences that may ensue to the liberties of America by their defection are chargeable upon a prevailing faction in New York.

"6. That as a testimony to the world of our disapprobation of the late measures adopted by that prevailing faction we will break off all commercial intercourse with New York, so far as not to purchase of any of the inhabitants of the colony of New York any goods except alkaline, salts, skins, furs, flax and hemp, until they return to their agreement or until the act of 7 Geo. III is totally repealed. And we pledge ourselves each to the others that if we know of any person attempting to bring into this city or province any goods from New York except these above enumerated, that we will immediately give information of them to the merchants' committee, that their names may be published in the newspapers, provided always that every inhabitant of this place, town and province, who has effects at New York, may have the liberty to remove them from thence, provided it is done within six weeks from this date."²⁰

The chief advantage of these agreements was that they helped to make the complaints of the merchants against the revenue act more effective. So far as actually diminishing the revenue was concerned, they did not accomplish much, owing to the fact that they were frequently violated. They had scarcely any effect in Boston and Rhode Island, where merchants made little effort to conceal the fact that they imported manufactures from Great Britain. In Philadelphia the association held out the longest, and statistics show considerable diminution of trade; but even here the method of procedure was found to be impossible, on

²⁰ C. O., 5:1300. Inclosure dated 19 July, 1770, in a letter from John Penn to Lord Hillsborough.

account of non-enforcement in other colonies and the overpowering commercial interests of the people. The great increase of imports, in 1771, indicates that the agreements had become a dead letter in Philadelphia.²¹

While the statistics show a decrease in certain years in all manufactured articles imported from Great Britain, except necessities, the trade in other channels seems little affected. The amount of molasses legally imported was less in 1765,²² but otherwise the West India trade did not appreciably change. With the exception of the one year, 1769, the tonnage in all the channels of trade does not vary²³ in a marked degree.

The comparatively slight deviation in the trade statistics is not, however, a proof that the trade of the district did not suffer from the legislation. After the close of the Anglo-French struggles, when the freedom of the seas was much greater, trade should have increased rapidly in every part of the empire. Furthermore, in determining the effect of the legislation upon trade in the Delaware district, the failure of the grain crop in Europe must be taken into account. The first important demand for American wheat was made in the autumn of 1765 and 1766. James Tilghman wrote to Thomas Penn on the 10th of November, 1766—"I believe you will have a very great receipt of money this year. The European demand for our produce is a very favorable circumstance."²⁴

The merchants of London who traded with North America felt this situation keenly. At one of their meetings held on the 31st of October, 1766, they drew up the following memorial which states clearly the condition both in Europe and America:

²¹ Appendix IV.

²² T., I, 505.

The revenue collected in Pennsylvania from the duty on molasses was also less in 1765 than it was for the two preceding years:

1763.....	£165	0s.	0d.
1764.....	1,576	12	6
1765.....	91	5	0

²³ Customs, 16:1. Tables of the West Indian, the Southern European and the Wine Island trade.

²⁴ Pa. Hist. Mss., Vol. X.

“That effectual relief may be obtained by a speedy importation of wheat and flour from the continent of America, where the crops this year have been remarkably plentiful and the grain particularly good in quality.

“That from the latest advices from that side, 28th ult. Philadelphia, the best wheat might have been purchased and imported into this kingdom at or under 33 shillings per quarter in which computation are included, commission for purchasing, charges of shipping, insurance, freight, tonnage and port charge.

“That although the price in America may probably advance by the orders which are sent thither for the supply of Italy, there is, nevertheless, great reason to believe it may be purchased in America on lower terms than in any part of Europe.

“That for these considerations the undermentioned persons do agree to subscribe the several sums set against their names for the purpose of importing wheat and flour from America.

“That a call *pro rata*, be made on the subscribers as often as money is wanted.

“That three vessels be chartered and sail directly for this purpose.

“That orders be forwarded by them and several others for the earliest conveyances for purchasing wheat and flour in America, that such a number of vessels be chartered there as may be thought proper.

“That the vessels shall be engaged to touch at Falmouth for orders where to proceed to a port of discharge.

“That in case the ports of England are opened by government for the admission of grain from the British plantations, the said vessels shall be ordered to such ports of the kingdom as shall appear from the best intelligences to be in the greatest want of bread-corn.

“That all the grain imported shall be sold for the benefit of the manufacturers, mechanics and laborious poor without any profit to the subscribers whatsoever.

“That in case the ports of Great Britain should not be opened for the admission of grain from the British plantations, the said

ships shall be ordered to such markets as may appear to be the most advantageous to the subscribers."²⁵

In 1767, the situation was such that wheat was imported from the continent of Europe free of duty,²⁶ and in the next year an act was found which permitted the importation of wheat from the colonies free of duty. The poor harvests in Europe, during the years 1767, 1769, 1771, made it necessary to continue this act. Thus the abnormal demand came at an opportune time and helped to counteract the difficulties incident to the enumerated policy.

(3) *Illicit Trade After 1763*

Statistics are, after all, very ineffective in measuring the amount of trade under a highly protective system. Smuggling was so prevalent that when allowances have been made for all the vessels which never entered, and the undervaluation of goods which were legally imported, the accounts of the custom officials assume little importance. Consequently the state of illicit trade would be a better indication of the effects of the British legislation, especially upon the trade of this district, than either the number of new manufactures or the fluctuations of the amount turned into the exchequer. One of the chief aims of the new acts was the prevention of illicit trade. The government hoped to secure as much by that means as by the new export and import duties, at least enough to pay for the various colonial establishments. With all the carefully worked out details of the new regulation there remained some defects to which the failure of executing the laws may be partially attributed. Among these, one of the most noticeable was the small number of authorized landing places. This was a great handicap in the enforcement of such clauses as the one in the act of 7 Geo. III, c. 46, which provided "that from, and after, the 20th of November, 1767, the master or other persons having or taking the charge or command of every ship or vessel arriving in any British colony or plantation in America shall before he proceeds with his vessel to the place of

²⁵ Chatham Papers, Bun. 97. 31 Oct., 1766. Merchants' Proposal.

²⁶ 7 Geo. III, c. 4-11.

unloading, come directly to the custom house for the port, or district where he arrives, and make a just and true entry upon oath before the collector or comptroller or other principal officers of the customs there, of the burthen, contents and lading of such sloop or vessel."²⁷ It was almost impossible to carry this out, because there were numerous harbors and places without customs offices, where vessels were fitted out and to which they returned to unload and discharge. On one occasion the following questions were asked:

1. "Must a master bring his vessel to a port or district where there is a customs house, and may the officers of the customs refuse to admit him to an entry if he does not bring the vessel?"

Ans. 'Not necessary to bring the vessel in, but the master must apply for admittance before unloading.'

2. "Do these regulations hold for coastwise shipping?"

Ans. 'No. Only for foreign shipping.'

In the first place, supposing a trader was dishonest enough to carry on illicit trade, it is almost inconceivable that he would cease to be dishonest at the port of entry, when chances were few that a false cocket would be detected. Secondly, if the trader had acted according to the letter of the law and successfully evaded the detection of the customs officials, he was able to proceed in landing the contraband goods with little difficulty.²⁸ On the other hand, if there had been officers at the principal landing places to search the vessel carefully, the trader would no doubt have been less courageous in his dishonest pursuits.²⁹

Duncan Stuart, writing to Thos. Bradshaw on the 13th of February, 1769, from New London, made this point very clear. He said, "The amount of duties collected in one year was £319 3s. 2d. The smallness is owing to several vessels belonging

²⁷ T., I, 463.

7 Geo. III, c. 46.

cf. Chap. I.

²⁸ T., I, 463. The interpretation of this clause also rendered it useless.

²⁹ T., I, 400. On another occasion it was remarked that places existed where there were few outdoor officers, and in such places the indoor officers trusted entirely to the report of the master.

to this district having entered their cargoes at Boston, New York and Philadelphia, but there is no doubt with me that it is in great measure owing to a great many goods being run, an evil that in my humble opinion can never effectually be prevented, unless sea vessels (whose burthen ought to be at least 70 tons) are obliged by law to unload at particular quays. But as long as vessels are allowed to land their cargoes at the distance of 10, 20, 30, 40, 50 miles from the custom house, business is and must be carried on in a very loose manner, and all endeavors to check it are in vain."³⁰

The opinion of Jonathan Sewall, attorney-general of Massachusetts Bay, given on the same date, is worth considering as it applies to the Delaware district as much as to Massachusetts. He believed "that England should appoint officers at one or more ports in every province, but the boundaries of few or none of the ports have been ascertained by any authority whatsoever. Trade not being confined to the places where the officers reside but being carried on at places convenient to the merchants, vessels with dutiable goods often arrive at points remote, the master proceeds by land and makes report and entries at the customs house and often never comes near the customs house at all, and as little credit can be given to the report and entry, the revenue is often defrauded and gives opportunity to the merchants to run any part of the cargo with impunity."³¹ Soon after this an investigation was made concerning the towns, districts and ports of America, but nothing was done towards improving the conditions.³²

The fee system was another fault, which had been only partially corrected, when salaries were given to the chief officer of the vice-admiralty. Although a fee was defined by law as a "gratuity given to an officer over and above his salary to excite him to a diligent performance of his duty,"³³ it meant a dependence

³⁰ T., I, 399, Feb., 1769.

³¹ *Ibid.*

³² Cf. Chap. I, p. 244, note 10. Addit. Mss., 15484.

³³ C. O., 5:1273, Act regulating fees for custom-house officers. T., I, 471. Nov. 14, 1767.

because the salaries were very small. The officers under a highly protective system were either aiding in the illicit trade by granting false certificates, or they were in danger of suffering from insufficient fees.

The amount of fees was ascertained in three different ways, by act of parliament, by custom, and by verdict of jury. Attempts were made, in 1765, to determine fees by law. The clause which concerns the customs house fees opens with the words "and in order to prevent any disputes concerning what fees the officers of His Majesty's customs in the British colonies or plantations in America may be entitled to for making entries or other business done by them in the execution of their employment." The fact that a table of fees was not given proves that it was to stand upon no positive law or authority. The law merely states that they should receive the same fees as their predecessors, unless they were exorbitant or contrary to an act of parliament.

The fees generally taken by the naval officer at Philadelphia were:

Entering and clearing vessel.....	£1	7s.	0d.
Bill of health if required.....		6	0
Making a bond for enumerated goods.....		5	0
Certificate for cancelling such bond.....		5	0
Certificate for taking naval stores to Great Britain		5	0
For Governor's let passes for vessels above 60 tons		12	0
For Governor's let passes for vessels under 60 tons		10	0 ³⁴

The fees of the collector and comptroller, the only other officers who received fees, were:

	Collector			Comptroller		
	£1	7s.	0d.	£0	9s.	0d.
Entering and clearing vessels.....	£1	7s.	0d.	£0	9s.	0d.
Bill of health if required.....	0	6	0	0	2	0
Certificate for cancelling bond.....	0	5	0	0	1	0
Register and recording the same.....	0	14	0			
General permit for goods shipped on board in shallop	0	2	0			

³⁴ T., I, 482, 7 Mar., 1771. List of fees.

	Collector			Comptroller		
Port entry	£0	5s.	0d.			
Bill of stores	0	2	6			
Certificate for Great Britain.....	0	5	0	£0	1s.	8d.
Certificate for naval stores.....	0	5	0			

There is a wide discrepancy in the accounts concerning the officers³⁵ in the Delaware district and their relations with the traders. John Penn, in transmitting the above lists of fees to John Robinson, a member of the customs board at Boston, remarked, "The collector informs me that the merchants of this port have always cheerfully paid the fees expressed in the list, except that about twelve months ago, a number of them objected to some part of them in which, upon a conference with him on the subject, they afterwards acquiesced and have ever since paid them."³⁶

This report indicates harmonious relations between the customs officers and the traders. Nevertheless, it should not be taken too literally. Letters from governors of different provinces show that the home authorities were continually getting word from the merchants that there were many obstructions in the way of customs officers exerting their duties, and yet the governors seemed incapable of assisting them in time to be of any use. Often they reported that they had heard of none in their respective colonies. A correspondence between Lord Hillsborough and the proprietors of Pennsylvania shows to what extent obstructions at Philadelphia were known, or perhaps it would be more accurate to say, reported by the governor of Pennsylvania. Hillsborough wrote on the 19th of July, 1771, to the proprietors of Pennsylvania: "The lord commissioners of His Majesty's treasury have communicated to me several papers, received from the commissioners of customs in America relative to certain outrages committed on their officers, and the neglect of the governor and civil magistrates in giving them assistance and protection, and their lordships have desired that I would take such measures

³⁵ T., I, 482, 1 Feb., 1771.

³⁶ C. O., 5:1300, Report of John Penn.

as I shall judge most expedient, to prevent in such governors and civil magistrates the like neglect of their duty for the future.

"From these papers it appears that some of the most violent of these outrages have been committed in the city of Philadelphia, particularly in the months of April and October, 1769, on occasion of lawful seizures made by the officers of the customs, when such seizures were rescued by force and violence, and the officers and those from whom they received information of breaches of the law were treated with the greatest cruelty and inhumanity in the presence of the magistrate who gave them no assistance. It has given me great concern to find such acts of violence and inhumanity in a colony, from which I have received such strong professions of loyalty and duty to the king, and in a city hitherto deservedly commended for the regularity of its government."³⁷

When John Penn was informed concerning this letter, he wrote in a very characteristic manner that he regretted extremely these acts of violence, but he assured Hillsborough that the complaints were unfairly represented, that officers had nothing of which to complain, and that the colony was among the first in loyalty to the king. The latter part of his letter is in itself an admission of unsatisfactory trade conditions in the district. He said that it was almost impossible to prevent mob outrages, and that the backwardness of the people to become informers added to the difficulty of prosecuting the leaders.³⁸

The affair of October, 1769, may stand on its own merits. Mr. Swift, the collector of Philadelphia, was informed that 39 pipes and 10 quarter casks of Fayal wine had been landed without paying duty. When the informer was discovered, he was tarred and feathered and dragged over stones. The magistrates took no notice of this. In the trial they put the blame on the collector and said that he had been bribed, but the collector denied the charge, and stated that he had told the informer that he would

³⁷ C. O., 5:1284, Letter from Lord Hillsborough to the Proprietors of Pennsylvania, 19 July, 1771.

³⁸ Ibid., Letter of John Penn to Hillsborough, 24 Dec., 1771. Also in C. O., 5:1300.

pay him 10s. per pipe in case the seizure was made. When the people heard this they were incensed and threatened Mr. Swift himself, who, fearing that the king's money might be in danger, turned over to the cashier of the port £1,186 18s. 14*d.* sterling, endorsed by Mr. Meredith, the wealthiest merchant in Philadelphia. Supposing that the facts in this case were true, and there is every probability that they were, several deductions might be drawn from them in the light of the correspondence just mentioned. In the first place, it is evident that there was considerable friction between the customs officials and the people as well as the traders. Secondly, when a case came up which was so obvious that the collector could scarcely let it pass and maintain even the appearance of doing his duty, the results were so painful that there was little incentive to repeat the effort. Duncan Stuart was thoroughly justified when he said, "If I make a seizure the stores are broken open, the goods are taken away, and woe to him that would make a discovery." Thirdly, when such a case came up and outrages were committed, the governor passed over the incident in his reports as of little importance and said that his people were free from any "illegalities" and "offered no obstructions to trade."³⁹

A case arose, between 1770 and 1772, which is illustrative of the difficulties experienced by the collectors when they attempted to make seizures.⁴⁰ John Hatton was the collector at Salem and Cohensey in 1770. It was actually known by him that ships were arriving, and that pilot boats were unloading, and secreting contraband goods, before the vessels made a formal entry. Every attempt to make a seizure was met with violence, and he received no assistance from the officers and magistrates, who were themselves helpers, because the people sanctioned the smuggling. On one occasion, the 8th of November, 1770, Hatton seized a pilot boat off Cape May, which was laden with contraband goods from

³⁹ T., I, 471, 24 Oct., 1769.

⁴⁰ The Case of John Hatton. T., 482, Dec. 25, 1770; T., 491, Jan. 17, 1771.

the *Prince of Wales*. While doing this he was violently assaulted by a number of armed men from the *Prince of Wales*, who took the pilot boat out of his possession and robbed and dangerously wounded him, his son, and others on board with him.⁴¹ His slave was taken prisoner and a little later, on land, his son was assaulted a second time, when, in company with the son of John Swift, he was attempting to find the pilot boat.⁴² Hatton protested to the governor of New Jersey, and a month later wrote to the commissioners of the customs at Boston that he had been most basely treated while performing his duty. He also said that he was well informed that a set of merchants at Philadelphia had given a considerable amount of money to officers of the province, in order to gain any point they wished, and that they had made the Cape their "staunch store" for contraband goods.

Although the governor issued a proclamation for the arrest of the nine men who were supposed to be involved in the affair, nothing was really accomplished. One of the principal offenders, a man by the name of Hughes, was imprisoned, but, owing to the fact that he was a nephew of one of the justices, he was almost immediately released on bail. On the whole, the proclamation was a very perfunctory proceeding on the part of the governor, who did all he could a little later to injure Hatton in a communication to the board of customs at Boston. On the 10th of April, 1771, he wrote that Hatton had a violent temper, was arrogant, and threatened to make unfavorable reports of officers who did not strictly obey his instructions.⁴³ He charged him with complicity with the worst smugglers in Philadelphia, saying that no doubt Mr. Hatton would have made no mention of illicit trade if the seamen had offered him money. The governor said that Hatton had been "guilty of unwarranted practices in his office and had given encouragement and assistance to the most noted smugglers to a great detriment of the king's revenues, notwithstanding which you have suffered him to continue in office and have not,

⁴¹ T., I, 491, 17 Jan., 1771.

⁴² T., I, 476.

⁴³ T., I, 491, 10 April, 1771.

at least as I can learn, even shown any marks of your disapprobation of his conduct. Had I not known that the inspector general, after a strict examination into the matter, had made such a report to you, I should myself have suspended Hatton from acting in his office till further orders from proper authority. But as you were made fully acquainted with his conduct and it was a matter over which you had particular superintendency, I was unwilling to interfere, more especially as I had a right to expect that you would have thought yourself in duty bound after receiving such information to remove him from his office in the customs."⁴⁴

No aid whatever was given in the *Prince of Wales* case by the collectors in the other ports of the district. Mr. Hatton complained that the collector at Burlington, Mr. Read, always interfered with the exercise of his duties. Since Read was one of the three chief justices of the province, for which position he received a salary from the assembly, it was more to his interest to consider the wishes of the people than to perform his duty as collector. The officers at Philadelphia excused themselves by saying that it seemed none of their business, since the vessel had a proper clearance and entry. An entry had been made at Philadelphia on the 10th of November that Brennen and Postlethwaite had shipped 7,188 bushels of white salt and 24 chaldrons of coal from Liverpool to Philadelphia in the *Prince of Wales*.⁴⁵

The case came up again and again. It was discussed in the several courts and ordered out of first one and then another. Mr. Kemper, one of the judges of the civil courts, said that it was a matter of prudence rather than of law as to how far he should proceed. Andrew Allen, the attorney-general of Pennsylvania, decided that the case could not be tried in the ordinary courts except on the grounds of personal injury. In that capacity redress from one or all the offenders could be obtained. He also pointed out difficulties in bringing the case up in the vice-admiralty courts. So far as breaches of the laws of trade were concerned, they could undoubtedly be tried in that court, but only

⁴⁴ *Ibid.*

⁴⁵ T., I, 476.

if suit were brought within the year. As it was then the 28th of October, 1771, there was little time before the expiration of the year. As to the damages, he said "The different judges that have for many years past presided in the courts of the vice-admiralty here, who have also been gentlemen of high repute in law, have invariably laid it down as a rule not to determine any suit, which have sounded merely in damages without calling in the assistance of a jury to ascertain the quantum of damages."⁴⁶

The result was that Hatton did not succeed in winning a single point. It is little wonder that few cases came up in these courts, when one so obvious as this, with the facts not disproved, could do nothing more than bring odium upon the collector. In the reform of the vice-admiralty it was expressly stipulated that it should have complete jurisdiction over all matters concerning seizures, and it was contrary to the purpose of the reform that there should be any difficulty in obtaining a hearing. Instead of hearing fewer cases it was supposed to have cognizance over more.

The chief reason for this state of affairs was again the lack of salaries. The officers below the judge in each court were compelled to engage in other pursuits, and thus they were dependent upon the people. This defect was particularly noticeable after the discontent in the colonies became so marked. The officers did not dare to consider cases contrary to the wishes of the people, upon whom they were dependent for their livelihood. Richard Reeves, one of the commissioners at Boston, wrote on the 25th of August, 1772, to John Robinson, a member of the London customs board, concerning the apathetic condition of the vice-admiralty court in the Delaware district. He said that the attorney-general of Pennsylvania had refused to undertake any prosecutions for penalties incurred by persons aiding in the running of goods, and that there was neither solicitor nor advocate general in Philadelphia. In order to explain the position of the attorney-general, he inclosed a letter from the collector of Philadelphia, dated the 7th of the preceding June: "Upon several seizures

⁴⁶ T., I, 471.

lately made here we have frequently applied to the attorney general to prosecute for penalties incurred, and on finding his neglect therein, we thought proper to demand of him a reason, and his direct answer whether or not he would do it, to which he has replied (after taking a long time to consider it) that, as he had no salary from the crown to make him independent, he could by no means undertake any prosecutions of that kind which would injure him greatly in his business as a lawyer, and therefore he must beg leave to decline it. We are informed that all the lawyers here have combined not to undertake any of the like prosecutions. Indeed we have been told, whoever did, would meet a worse fate than ever the informers have done. This being the case, we hope the board will not impute it to any neglect of duty or inattention to their commands that those prosecutions have not been instituted."⁴⁷

This letter is sufficient to show that only a few of the many cases of smuggling ever reached the vice-admiralty court. As an example of their decision upon cases which did come up, that of the sloop *Ruby* may be given. On the 30th of July, 1772, the collector and the comptroller informed the board that they had made a seizure of the *Ruby* from Cape Nicola Mole, for trading without a register. The sloop contained 134 casks of molasses from Hispaniola, worth 16*d.* per gallon, or £999 5*s.* 4*d.* The vessel was navigated chiefly by foreigners and the property itself was foreign. About a month later, the collector and the comptroller issued a writ of delivery for the vessel and goods.⁴⁸ As instances of this kind had happened many times, and as such practices (except cases allowed by 14 Chas. II, ch. II, sec. 30) were very detrimental to the revenue and a great discouragement to the officer, it was thought that the case was of prime importance.

The case came up in the court of vice-admiralty and was prosecuted by James Biddle, the deputy judge of the court. The verdict went against the officers of the customs, and the sloop with

⁴⁷ T., I, 491, Letter of Richard Reeves to John Robinson, 25 Aug., 1772 with enclosure.

⁴⁸ *Ibid.*, Letter of Richard Reeves. 17 Sept., 1772.

her cargo was returned to the owner, Emmanuel Roderick. The collector and the comptroller objected strenuously to the decision but with no avail. This Emmanuel Roderick claimed to be a resident of Rhode Island, but it could not be proved that he had been naturalized. He said that he took a cargo to Hispaniola in a vessel called the *Hopestill*, which was entirely owned by him, was English manned, and was built in Rhode Island. In return for the cargo he purchased from this island 134 casks of molasses. Before his return he discovered at the port of Limberg in the same island that his vessel would not stand a return voyage. He then sold it much to his loss, and waited for an English vessel, but as no English vessel came and he was afraid that his molasses would spoil, he finally bought the sloop *Ruby* which had been built and registered in Virginia, although the register was lost. As many of his seamen had left the island, only the master and a few negroes being left, and as no Englishmen were available, he was obliged to man the sloop with foreigners. He had no intention of smuggling, but meant to explain all of this at Philadelphia, obtain a new register for the sloop, and pay the duty on foreign molasses.⁴⁹

Roderick's defense is plausible, but extremely improbable. At a time when almost every other man was a smuggler or interested in smuggling, it would be necessary to prove more conclusively every part of his story than to have his oath. He knew what risks were involved and should have been willing to suffer the consequences. If such instances were allowed to go unpunished, it was impossible to put any effective check upon illicit trade. The case is particularly suspicious in that the vessel came from Hispaniola. This island, especially Cape Nicola Mole, was, as in the earlier period, a notorious smuggling center. Almost every vessel, which went to Jamaica laden with provisions and lumber, cleared for Cape Nicola Mole to purchase a cargo of sugar, coffee and molasses, with the money which they received from the Jamaica merchants. It was also one of the bases for European

⁴⁹ T., I, 491, 10 Aug., Claim and Answer of Emmanuel Roderick.

manufactured goods during the time when merchants were attempting to do without manufactures imported *via* England.⁵⁰

In fact, in every route the regulations and laws were increasingly disregarded. Trade continued, as before, to follow the natural channel, and for all practical purposes this district enjoyed free trade. This condition of affairs was clearly brought out in a report on a bill for regulating the trade in North America in 1773. It was urged that greater care should be taken to compel owners of provincial built ships to register them, to compel vessels to be brought into port for examination and to require greater discrimination in seizures on the part of the officers, so that the fair trader would not be discouraged. In the latter part of the report, however, which stated the grievances of the officers, the reasons why the trade legislation had been such a failure are fully explained. The officers complained, (1) that the heavy charges of the provincial courts of the admiralty kept many cases from being tried, the expense of prosecution of petty seizures often being a greater charge than the goods; (2) that combination among the people prevented the sale of goods which were seized, in order that the smuggler could buy them in again at a low rate; (3) that there were very few crown lawyers in some ports, and that little assistance was given by those who were there, because they had no salaries.

⁵⁰ C. O., 5:119, 6 May, 1773, Letter from G. B. Rodney to Phillip Stephens.

CONCLUSION

There is little doubt that the legislation which has been discussed was an economic necessity from the point of view of the empire, but it is equally true that it was economically untenable in the Delaware district. As has been pointed out, the trade of this district depended upon circuitous routes which were practically forbidden by the "enumerated policy." In order to carry on trade with any advantage after the enactment of the legislation, the merchants and traders were compelled to resort to illegal methods on a much larger scale than ever before. This was, however, not a protest against protection *per se*, because the district itself was committed to that principle. It was merely a protest against this particular form of imperial protection. As the political controversies superseded the economic, illicit trade was condoned by all except the few appointees who were financially interested in enforcing the law. The result was that the authority of the vice-admiralty courts and custom houses of the district was completely nullified, and such conditions of free trade existed as to make the period for the individual traders more prosperous than any previous one. On the other hand, the British government had expended large sums to reorganize the protective system with the expectation of increasing the revenue by more adequate restrictions. When, therefore, the regulations became ineffectual through illicit trade, the government's loss of revenue was tremendous, and the increased expenditure for equipment proved to be a worthless experiment. Compelled to yield one point after another, the government finally realized that it would have to abandon the protective policy altogether, or enforce its laws by militant methods.

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APPENDICES

APPENDIX I

An account of goods and merchandise imported into England from Pennsylvania from Christmas 1699 to Christmas 1700.*

	Quantity			Customs		
	Cwt.	Quarter	Lbs.			
Grocery—						
Ginger dry	2	..	..	£0	13s.	0d.
Molasses	177	..	..	
Rice	7	1	13	11	4	2
Sugar Brown	4	3	5		13	7
Indigo .....	..	..	130	1	6	7
Skins—						
Bear, black .....	..	..	452	64	2	7
Beaver .....	..	..	121	5	14	5
Buck in hair .....	..	..	516	9	3	1
Cat .....	..	..	826	2	6	10
Elk .....	..	..	14		19	11
Fisher .....	..	..	96	3	8	1
Fox .....	..	..	1322	12	10	4½
Mink .....	..	..	783	8	6	8
Musquash .....	..	..	2163	7	13	5
Otter .....	..	..	116	3	2	3
Raccoon .....	..	..	4721	16	4	6
Wolf .....	..	..	173	26	4	6
Braziletto	5	..	..	
Tobacco .....	..	..	64,791	1414	6	6
Whale fins	5	..	..	7	3	1½
At Value—						
Cow horns .....	..	..	..		7	4½
Buck skins .....	..	..	..	9	16	9½

* C. O. 5:1291. This list was signed, Walter Cox.

APPENDIX II

EXPORTS FROM PENNSYLVANIA TO LONDON IN ENGLISH SHIPS, 1764-1765*

Merchandise	Amount			Estimated first cost or value		
	Tons	Cwt.	Qtr. Lbs.			
Ashes Pott.....	7,989	At 3d. lb.	£99	17s. 3d.
Copper Ore....	..	113	3 24	At 2/6 cwt.	14	4 9
Castoreum	11	At 4-6s. lb.	2	15
Cort'x Elutheria ..	25	2	27	At 28-32s. lb.	38	12 6
Winteranus	8,980	At 2-3d. lb.	93	10 10
Gum Copal....	393	At 9-11d. lb	24	10 2

* Customs, III, 65.

Merchandise	Amount			Estimated first cost or value			
	Tons	Cwt.	Qtr. Lbs.				
Oyl Chymical..	..	..	..	203	At 4-6s. lb.	50	15
Sassafras .....	..	..	..	19	At 6-8s. cwt.	1	2
Rad. Serp'ntaria	..	..	..	130	At 2-3s. lb.	16	5
Sarsaparilla ...	..	..	..	150	At 11-13d. lb.	7	10
Sperma Cati...	..	50	..	..	At 5-8£ 10d. cwt.	7	0 0
Sassafras .....	..	2	..	..	At 6-8s. cwt.	14	
Turpentine ...	..	875	2	10	At 9-11s. cwt.	437	15 11
Elephants Teeth	..	3	1	2	At 4/10-7£ cwt.	18	15 9
Groc. Pimento.	..	..	..	1,479	At 5-7d. lb.	36	19 6
Rice .....	..	1171	3	21	At 14-18s. cwt.	937	11
Indigo .....	..	..	..	2,500	At 12-18d. lb.	156	5
Iron Bar	54	19	2	9	At 9/10-10£ 10s. ton		
Pig Iron.....	170	17		8	At 18-22s. ton	170	17 1
Oil Train.....	94	2	32	gals.	At 11-13£ ton	1,135	10 4
Pitch and Tar..	210	lasts	7	bbls.	At 8-10£ last	1,895	5 0
Rozin .....	..	12	2		At 8-10s. cwt.	5	12 16
Skins:							
Bear, Black..	1,178	No.			At 6-7d.	36	16 3
Beaver	81				At 3-4s.	14	3 6
Pelts	1,382				At 20-40s. 100 No.		
Buck, deer hair	10,397				At 2-3s.	1,299	12 6
Calabor						3	1 8
Cat	1,480	Nos.			At 2	12	6 8
Coney	14				At 10-14d. Doz.	14	
Deer	208	lb.			At 12-18	13	
Elk	77	No.			At 6-7s.	25	0 6
Fisher	252				At 6-8d.	7	7 0
Fox, Ord'y ..	1,802				At 14-6d.	112	12 6
Martin	143				At 7-9d.	4	15 4
Mink	10,848				At 20-21d.	994	8 0
Musquash ...	9,258				At 5-7d.	231	9 0
Otter	2,439				At 3-4s.	426	16 6
Panther	2				At 20s.	2	0 0
Raccoon	2,428				At 5-7d.	60	14 0
Wolf	81				At 4-6	20	5 0
Spirits, Rum ..	2,894	Gals.			At 20d. Gall.	241	3 4
Sturgeon	214	Kegs			At 3-4s. Keg	37	9 0
Wax, Bees	180	cwt. 1 gr. 4 et.			At 45-55s. cwt.	450	18 9
Whale Fins....	5	cwt. 3 gr. 12 et.			At 7-9£ cwt.	46	17 1
Wine, Madeira	64	tons 3:11			At 19-23£ Ton	1,360	13 4
Boat Boards...	13,000	Feet			At 1d.	54	3 4
Brazielletto ...	3	Tons			At 6-8£ Ton	21	
Cedar Planks..	35	No.			At 5s.	8	15
Fustick	94	Tons			At 8-10£ Ton	846	
Oak Planks....	65,000	Feet			At 2d.	541	13 4
Logwood	184	Tons			At 10-14£	2,220	
Mahogany	5	Tons			At 7-9£	40	
" Plank	509	No.			At 20s.	509	
Pine Boards ..	6	No.			At 30s.	9	
Walnut	305	Logs			At 20s.	305	

Merchandise	Amount			Estimated first cost or value		
	Tons	Cwt.	Qtr. Lbs.			
Pipe	306	:3	:15 No.	At 14-16s.	430	3 1
Staves	306	cwt.	3 gr. 15 No.	At 16-8s.	107	8 1
Pink Roots	83	lbs.			7	5 3
Sails made	48	Ells			3	
Total.....					16,042	4 1

APPENDIX III

IMPORTS TO PENNSYLVANIA FROM LONDON, 1764-1765*

Eng. Manufacture	Amount	Cost	Amount of the value		
Allom	17 cwt.	At 21s. cwt.	£17	17s.	0d.
Apoth. Ware	417 cwt.	At 40s. cwt.	834	0	0
Apparel Parcels..	11 No.	At 20s.	11	0	0
Bags	217 doz.	At 5-7s. doz.	65	2	0
Beer	8 tons 3 hhds. 9 gal.	At 4-6£ Ton	43	18	6
Books	119 cwt. 1qr. 0 lb.	At 3-5£ cwt.	477	0	0
Brass Wrought ..	393 cwt. 0 qr. 20 lb.	At 4-5£ cwt.	1,769	6	0
Bridles	1 doz.	At 8-14s. doz.		11	0
Cards new Wool.	362 (895 doz.)	At 7-12s. doz	171	19	
Cards playing ...	39 cwt. 3 qr. 0	At 20-25s. cwt.	44	14	4
Chariots	5 No.	At 15-25£	100	0	0
Cheese	158 cwt. 0 qr. 0	At 20-28s. cwt.	189	12	
Coals	63	At 22-26s. cwt.	75	12	
Coffer Wrought..	247 cwt. 2 qr. 0	At 5-5-12 cwt.	1,311	15	
Cordage	1,540 :0 :0	At 20-26s. cwt.	1,771		
Fustians	40 no.	At 20s. per no.	40		
Gartering Crewel.	50 Gross	At 10s. gross.	25		
Glass	67,125 no.	At 5,100 per no.	167	16	3
Glass Green	155 cwt. 0 qr. 5 lb.	At 10s. per cwt.	77	10	5
Glass W. Flint...	49 cwt. 2 qr. 221 lb.	At 20s. per cwt.	49	13	10
Glass Windows ..	13 chests	At 14-25s. chest.	13	0	0
Gloves, leather ..	3,828 doz.	At 4-8s. doz.	1,148	8	
Grindlestones ...	40	At 25-35s.	60		
Gunpowder	297 cwt. 2 qr. 5	At 3-3£ 15 cwt.	1,064	4	2
Haberdashery ...	2,575 cwt. 1 qr. 0	At 40s. cwt.	5,150	10	
Harness, Coaches.	3 pairs n.	At 40-60s. pair	7	10	
Hats:					
Beavers, Castors	403 doz.	At 3-5£ doz.	1,612		
Felt	1,293 3/4 doz.	At 20-25s. doz.	1,455	18	4
Chip.	140 doz.	At 4-6s. doz.	35	0	0
Straw	40 doz.	At 3-4/6 doz.	7	10	
Hempseed	12 1/2 qr.	At 20s. qr.	12	10	
Iron Nails	99 cwt.	At 30-40s. cwt.	1,573	5	
Iron Wrought ...	3,354 tons, 1 cwt., 22 qr.	At 2/10-3£ cwt.	9,224	14	6
Lead and Shot...	61 ton 4 cwt. 2qr. 0	At 10-11 per ton	642	17	3
Leather Wrought.	7,694 lbs.	At 2-2/6s. lb.	865	11	6
Linen:	9,848 no.	At 30-40	17,234		

* Customs, III, 65.

Eng. Manufacture	Amount	Cost	Amount of the value		
British	52,845 yds.	At 6-18 yds.	2,642	5	
Irish	204,601 yds.	At 6-18 <i>d.</i> yd.	10,230	1	0
Sail	12,780 Ells	At 12 <i>s.</i>	639	0	0
Lithrage of lead.	45 cwt. 2:0	At 7-11 cwt.	20	9	6
Pewter	826 cwt.	At 3-4 <i>£</i> cwt.	2,891	0	0
Pictures or Prints	18 cwt. 2 qr.	At 25-30 cwt.	27	15	
Saddles, Great...	12 No.	At 30-40 <i>s.</i>	21		
Saddles, Small ..	12 No.	At 13-17 <i>s.</i>	9		
Shovels Shod	30 doz.	At 11-13 <i>s.</i> lbs.	18		
Silk in pieces	7,541 lbs. 1 oz.	At 30-40 <i>s.</i> lb.	13,196	17	2
Silk Stitch, Sew'g	2,521 lbs., 9 oz.	At 30-40 <i>s.</i> lb.	4,412	14	
Steel	700 cwt.	At 27-30 cwt.	997	10	
Tobacco pipes ...	338 Gross	At 12 <i>d.</i> gross.	16	18	
Vetures, Double..	96 no.	At 25-30 <i>s.</i>	49	10	
Watches, Silver..	12 No.	At 2:10-5 <i>£</i>	45	0	0
Clothes and Bags.	1,070 no.	At 3-4 <i>£</i>	4,012	10	
Double					
Minikins	816	At 7-8 <i>£</i> 10 <i>s.</i> no.	6,324	0	0
Single	1,020	At 34-35 <i>s.</i> no.	2,014	10	
Long	4	At 7-10 <i>£</i>	23	5	
Remnants	100	At 18-24 <i>d.</i> lb.	8	15	
Short	1,114 no.	At 10-13 <i>£</i> no.	12,811	0	0
Spanish	572	At 4-6 <i>£</i>	2,860		
Cottons	920	At 5-18 <i>£</i> 100 goods	54	5	7
Welch plains	1,500 (4,100)	At 5-6 <i>£</i> 100 goods	27	10	0
Flannel	62,400 Yards	At 8-18 <i>d.</i> yd.	3,380		
Frize	1,700 (2,000)	At 20-30 <i>d.</i> yd.	117	1	8
Kersies	205 no.	At 20-50 <i>s.</i>	358	15	
Perfits and Serges	440 lbs.	At 3-3/6 <i>s.</i> lb.	71	10	
Stock'g for child'n	10 doz.	At 4-14 <i>s.</i> doz.	4	10	
Stock'g for men..	6,722 doz.	At 24-44 <i>s.</i> doz.	11,427	8	
Stuffs	293,140 lbs.	At 2-3 <i>s.</i> lb.	36,642	10	
Stuff, Silk (Inde)	581 lbs., 9 oz.	At 2 <i>s.</i> 3/6 lb.	79	19	3
Stuff, Silk worst.	4,474 lbs., 5 oz.	At 2-3 <i>s.</i> 6 <i>d.</i> lb.	615	4	4
Cabinet ware			10		
Colours, painters.			100		
Cottons, Linens ..	46,301 sq. yds.		10,417		
Goods, several ...			46,102		
Plate Wrought ..	600 oz.		200		
Plate Glass White	26 cwt. 0:7		720		
Stationery			423	18	
Toys			34		

APPENDIX IV

PENNSYLVANIA IMPORTS AND EXPORTS, 1702-1763

Value of British Goods, Wares and Merchandise Imported into Pa.			Value of Foreign Goods, Wares and Merchandise im- ported into Pa.			Total Value Imports into Pa.			Value of Exports from Pa.		
						£	s.	0d.	£	s.	0d.
1702						2,997	0	0	3,347	0	0
1707						9,342	0	0	4,145	0	0
1712						14,365	0	0	786	0	0
1717						8,464	0	0	1,471	0	0
1722						22,505	0	0	4,499	0	0
1727						26,397	0	0	6,882	0	0
1732						31,979	0	0	12,823	0	0
1732						41,698	0	0	8,524	0	0
1737						56,690	0	0	15,198	0	0*
1740	£46,471	12s.	9d.	£10,280	2s. 0d.	56,751	14	9	15,048	12	0
1741	78,032	13	1	12,977	18 10	91,070	11	11	17,158	0	8
1742	60,836	17	1	14,458	5 3	75,295	3	4	8,527	12	8
1743	60,120	4	10	19,220	1 6	79,340	6	4	9,596	3	6
1744	47,595	18	2	14,618	8 4	62,214	6	6	7,446	7	1
1745	41,237	2	3	13,043	8 8	54,280	10	11	10,130	9	2
1746	55,595	19	7	18,103	12 7	73,699	12	7	15,779	7	4
1747	73,819	2	8	8,585	14 11	82,404	17	1	3,832	3	3
1748	55,039	3	6	20,291	1 4	75,330	5	9	12,363	14	2
1749	191,833	0	6	46,804	2 4	238,637	2	10	14,944	8	0
1750	156,945	7	10	60,767	13 0	217,713	10	0	28,191	0	0
1751	129,503	17	1	61,413	8 0	190,917	5	1	23,870	19	10
1752	123,872	14	0	79,794	5 11	201,666	19	11	29,978	8	3
1753	182,355	2	7	63,289	11 4	245,644	13	11	38,527	12	5
1754	188,981	5	6	55,666	9 2	244,647	14	8	30,649	16	10
1755	108,579	5	7	35,877	1 7	144,456	7	2	32,336	10	6
1756	159,222	10	6	40,947	9 3	200,167	19	9	20,095	14	7
1757	206,857	12	0	61,568	14 6	268,426	6	6	14,190	0	9
1758	194,745	16	9	66,207	14 4	260,953	11	1	21,383	14	10
1759	420,271	18	6	77,889	6 9	498,161	5	3	22,404	13	1
1760	606,054	9	4	101,944	2 8	707,988	12	0	22,754	15	3
1761	172,698	14	11	31,368	7 4	204,067	2	3	39,170	0	0
1762	181,053	4	0	25,146	14 8	206,199	18	8	38,091	2	2
1763	233,012	9	6	51,140	6 6	284,152	16	0	38,228	10	2
1764	359,934	0	2	75,257	3 10	435,191	14	0	36,258	18	1
1765	283,514	3	2	79,854	15 2	363,368	17	5	25,148	10	10
1766	258,467	17	8	68,846	7 7	327,314	5	3	26,851	3	1
1767	301,048	9	3	70,781	19 7	375,830	8	10	37,641	17	10
1768	331,050	6	0	101,057	11 4	432,107	17	4	59,406	8	5
1769	147,345	14	1	52,564	3 10	199,909	17	11	26,111	11	4
1770	110,121	14	3	24,760	1 2	134,881	15	5	28,109	5	11
1771	590,723	13	2	138,021	6 8	728,744	19	10	31,615	9	9
1772	438,348	4	7	69,561	9 5	507,909	14	0	29,133	12	3
1773	252,186	16	3	101,760	13 4	426,448	17	3	36,652	8	9†

* B. T. Commercial Series 414. (Old number).

† H. of L. Mss., Extract from a table of exports and imports of England with the North American Colonies.

VITA

I, Mary Alice Hanna, was born in Trenton, Missouri, July 13, 1886. My father was Samuel C. Hanna and my mother, Mary Lydia Hanna. Upon the completion of my secondary education, which I received from the Trenton High School, I entered the University of Missouri in the Autumn of 1905. I received from that institution the degrees of Bachelor of Arts (1909) and Bachelor of Science in Education (1911). For two years (1909-1911) I taught History and Latin in the high school of Vandalia, Missouri, and in the Autumn of 1911 became a graduate student at Bryn Mawr College. In 1912-13 I held the fellowship in history at Bryn Mawr and in the spring of 1913 was awarded the Mary E. Garrett Fellowship for a year of study in Europe. The time was spent as a student in the London School of Economics and University College, London, and as a research student in the Public Record Office and the British Museum. On my return to America in 1914 I was made scholar in history and fellow by courtesy at Bryn Mawr College. During the years 1915-17 I was head of the history department at the Schuyler School in Bryn Mawr, Pennsylvania.

As a graduate student at Bryn Mawr College I attended the courses given by Dr. William Roy Smith, Dr. Marian Parris Smith, Dr. Clarence Haring and Dr. James Miller Leake. In London I attended the courses given at University College by Professor A. F. Pollard and those given at the London School of Economics by Dr. Lilian Knowles, Dr. A. L. Bowley and Hubert Hall, F. S. A., Assistant Keeper of the Public Records.

I am especially indebted to Dr. William Roy Smith and Dr. Marian Parris Smith, who have directed me in the pursuance of my graduate studies at Bryn Mawr College.

My indebtedness in connection with this dissertation has been expressed in the preface.

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